

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

| | |
|---|---|
| _____ | x |
| EASTSIDE HOLDINGS INC., Individually and | : |
| on Behalf of All Others Similarly Situated, | : Electronically Filed |
| | : |
| Plaintiff, | : |
| v. | : Civil Action No.: 1:08-cv-02793 (RWS) |
| | : (ECF Case) |
| THE BEAR STEARNS COMPANIES INC., | : |
| JAMES E. CAYNE, ALAN D. SCHWARTZ, | : Hon. Robert W. Sweet |
| WARREN J. SPECTOR, SAMUEL L. | : |
| MOLINARO, JR. and ALAN C. GREENBERG, | : |
| | : |
| Defendants. | : |
| _____ | x |

(Additional Captions on the Following Page)

**DECLARATION OF ANDREI V. RADO IN SUPPORT OF
THE MOTION OF THE STATE OF MICHIGAN RETIREMENT SYSTEMS
FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF
AND APPROVAL OF SELECTION OF LEAD COUNSEL**

| | | |
|--|---|---------------------------------------|
| RAZILL C. BECHER, Individually and on Behalf: of All Others Similarly Situated, | : | Electronically Filed |
| | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | Civil Action No.: 1:08-CV-02866 (RWS) |
| | : | (ECF Case) |
| THE BEAR STEARNS COMPANIES INC., | : | |
| JAMES E. CAYNE, ALAN D. SCHWARTZ, | : | Hon. Robert W. Sweet |
| WARREN J. SPECTOR, SAMUEL L. | : | |
| MOLINARO, JR. and ALAN C. GREENBERG, | : | |
| | : | |
| Defendants. | : | |

| | | |
|---|---|--------------------------------------|
| GREEK ORTHODOX ARCHDIOCESE FOUNDATION, by and through GEORGE KERITSIS, TRUSTEE, Individually and On Behalf of All Others Similarly Situated, | : | Electronically Filed |
| | : | |
| Plaintiff, | : | Civil Action No. 1:08-CV-03013 (RWS) |
| | : | (ECF Case) |
| v. | : | |
| | : | |
| THE BEAR STEARNS COMPANIES INC., | : | Hon. Robert W. Sweet |
| JAMES E. CAYNE, ALAN D. SCHWARTZ, | : | |
| WARREN J. SPECTOR, and SAMUEL L. | : | |
| MOLINARO, JR., | : | |
| | : | |
| Defendants. | : | |

Andrei V. Rado declares under penalty of perjury this 16th day of May, 2008:

1. I am an attorney with the law firm of Labaton Sucharow LLP, counsel for the State Treasurer of the State of Michigan, Custodian of the Michigan Public School Employees Retirement System, State Employees' Retirement System, Michigan State Police Retirement System, and Michigan Judges Retirement System (the "State of Michigan Retirement Systems" or "SMRS"). I submit this declaration in support of the motion of the SMRS for consolidation, appointment as lead plaintiff and for approval of selection of lead counsel.

2. Attached hereto as Exhibit A is a true and correct copy of the signed certification of Michigan Treasurer Robert J. Kleine on behalf of the SMRS pursuant to the requirements of the Private Securities Litigation Reform Act of 1995. 15 U.S.C. §78u-4(a)(2).

3. Attached hereto as Exhibit B is a true and correct copy of a chart of the SMRS's transactions and approximate losses in The Bear Stearns Companies Inc. ("Bear Stearns") securities.

4. Attached hereto as Exhibit C is a true and correct copy of the notice that was published on March 17, 2008 on *Business Wire*, advising the public of the pendency of the first-filed class action brought on behalf of purchasers of Bear Stearns securities.

5. Attached hereto as Exhibit D is a true and correct copy of the firm resume of Labaton Sucharow LLP.

6. Attached hereto as Exhibit E is a true and correct copy of the firm resume of Berman DeValerio Pease Tabacco Burt & Pucillo.

I hereby declare under penalty of perjury that the foregoing is true and correct.



ANDREI V. RADO (AR-3724)

Exhibit A

CERTIFICATION

I, Robert J. Kleine, as State Treasurer of the State of Michigan (the “State Treasurer”) hereby certify as follows:

1. The State Treasurer of the State of Michigan is custodian of the Michigan Public School Employees Retirement System, the State Employees’ Retirement System, the Michigan State Police Retirement System, and the Michigan Judges Retirement System (the “State of Michigan Retirement Systems”).

2. I am fully authorized to enter into and execute this Certification on behalf of the State of Michigan Retirement Systems. I have reviewed a complaint alleging violations of the federal securities laws prepared against The Bear Stearns Companies, Inc. (“Bear Stearns”);

3. The State of Michigan Retirement Systems did not purchase Bear Stearns securities at the direction of counsel or in order to participate in any private action under the federal securities laws;

4. The State of Michigan Retirement Systems are willing to serve as a lead plaintiff in this matter, including providing testimony at deposition and trial, if necessary;

5. The State of Michigan Retirement Systems’ transactions in Bear Stearns during the class period are reflected in Exhibit A, attached hereto;

6. The State of Michigan Retirement Systems have not sought to serve as a lead plaintiff in a class action under the federal securities laws during the last three years preceding the date of this certification, except for the following:

In re HealthSouth Corp. Securities Litigation, No. 03-CV-1500 (N.D. Ala.)

7. Beyond its pro rata share of any recovery, the State of Michigan Retirement Systems will not accept payment for serving as a lead plaintiff on behalf of the class, except the

reimbursement of such reasonable costs and expenses (including lost wages) as ordered or approved by the Court.

I declare under penalty of perjury, under the laws of the United States, that the foregoing is true and correct this 14th day of May, 2008.

Robert J. Kleine
Robert J. Kleine,
Treasurer of the State of Michigan

EXHIBIT A

TRANSACTIONS IN
THE BEAR STEARNS COMPANIES, INC.

| Transaction Type | Trade Date | Shares | Price Per Share | Cost/ Proceeds |
|------------------|------------|------------|-----------------|-----------------|
| SELL | 12/15/06 | -1,600.00 | \$ 162.35 | \$259,716.02 |
| SELL | 12/19/06 | -300.00 | \$ 163.76 | \$49,125.77 |
| SELL | 12/21/06 | -900.00 | \$ 163.66 | \$147,281.82 |
| BUY | 03/16/07 | 2,400.00 | \$ 147.05 | \$352,958.88 |
| SELL | 06/15/07 | -300.00 | \$ 150.90 | \$45,263.30 |
| BUY | 07/18/07 | 79,429.00 | \$ 137.99 | \$10,960,653.94 |
| BUY | 07/18/07 | 1,500.00 | \$ 139.34 | \$209,009.99 |
| BUY | 07/18/07 | 70,849.00 | \$ 137.95 | \$9,774,576.01 |
| BUY | 07/18/07 | 141,800.00 | \$ 137.95 | \$19,563,224.30 |
| BUY | 07/18/07 | 130,571.00 | \$ 138.00 | \$18,019,033.03 |
| BUY | 07/18/07 | 1,900.00 | \$ 139.34 | \$264,745.99 |
| BUY | 07/18/07 | 1,400.00 | \$ 139.34 | \$195,075.99 |
| BUY | 07/19/07 | 9,722.00 | \$ 139.13 | \$1,352,747.28 |
| BUY | 07/19/07 | 10,561.00 | \$ 139.13 | \$1,469,488.17 |
| BUY | 07/20/07 | 44,068.00 | \$ 135.96 | \$5,992,375.45 |
| SELL | 07/20/07 | -2,600.00 | \$ 135.07 | \$351,132.68 |
| SELL | 09/21/07 | -3,200.00 | \$ 117.10 | \$374,682.26 |
| BUY | 10/11/07 | 200.00 | \$ 126.32 | \$25,266.00 |
| SELL | 11/28/07 | -200.00 | \$ 99.46 | \$19,889.69 |
| SELL | 12/21/07 | -2,300.00 | \$ 91.03 | \$209,329.68 |
| BUY | 12/26/07 | 200.00 | \$ 87.60 | \$17,522.76 |
| SELL | 02/01/08 | -200.00 | \$ 90.41 | \$18,077.90 |

Exhibit B

State of Michigan Retirement Systems
First-In First-Out ("FIFO") Share Accounting Gain (Loss) Analysis
The Bear Stearns Companies, Inc. Common Stock
Class Period: December 14, 2006 - March 14, 2008

| | |
|--|------------|
| Class Period Beginning: | 12/14/2006 |
| Class Period End: | 3/14/2008 |
| "Lookback Period" Beginning: | 3/17/2008 |
| "Lookback Period" End: | 5/15/2008 |
| Days in "Lookback Period": | 60 |
| "Lookback Period" Average Closing Price: | \$10.0888 |

| Transaction Type | Trade Date | Price | Shares | Total Cost | Transaction Type | Trade Date | Price | Shares | Total Proceeds | Shares Retained @ 05/15/2008 | Gain (Loss) ¹ | Offset for Shares Sold Into Class Above \$10.0888 |
|---|------------|-------|---------------|------------|------------------|------------|-----------|---------------|------------------------|------------------------------|--------------------------|---|
| Pre-Class Period Holdings 92,183 | | | | | | | | | | | | |
| 1A. Pre-Class Period Holdings Sold Through End of Class Period | | | | | | | | | | | | |
| Pre-Class Period Holdings | | | 1,600 | | Sale | 12/15/2006 | \$162.323 | 1,600 | \$ 259,716.02 | 0 | \$ | \$ 243,573.88 |
| Pre-Class Period Holdings | | | 300 | | Sale | 12/19/2006 | \$163.753 | 300 | \$ 49,125.77 | 0 | \$ | \$ 46,099.12 |
| Pre-Class Period Holdings | | | 900 | | Sale | 12/21/2006 | \$163.646 | 900 | \$ 147,281.82 | 0 | \$ | \$ 138,201.87 |
| Pre-Class Period Holdings | | | 300 | | Sale | 06/15/2007 | \$150.878 | 300 | \$ 45,263.30 | 0 | \$ | \$ 42,236.65 |
| Pre-Class Period Holdings | | | 2,600 | | Sale | 07/20/2007 | \$135.051 | 2,600 | \$ 351,132.68 | 0 | \$ | \$ 324,901.70 |
| Pre-Class Period Holdings | | | 3,200 | | Sale | 09/21/2007 | \$117.088 | 3,200 | \$ 374,682.26 | 0 | \$ | \$ 342,397.98 |
| Pre-Class Period Holdings | | | 200 | | Sale | 11/28/2007 | \$99.448 | 200 | \$ 19,889.69 | 0 | \$ | \$ 17,871.92 |
| Pre-Class Period Holdings | | | 2,300 | | Sale | 12/21/2007 | \$91.013 | 2,300 | \$ 209,329.68 | 0 | \$ | \$ 186,125.35 |
| Pre-Class Period Holdings | | | 200 | | Sale | 02/01/2008 | \$90.390 | 200 | \$ 18,077.90 | 0 | \$ | \$ 16,060.13 |
| 1A. Total | | | 11,600 | | | | | 11,600 | \$ 1,474,499.12 | 0 | \$ | \$ 1,357,468.61 |

State of Michigan Retirement Systems
First-In First-Out ("FIFO") Share Accounting Gain (Loss) Analysis
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| | |
|--|------------|
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| Class Period End: | 3/14/2008 |
| "Lookback Period" Beginning: | 3/17/2008 |
| "Lookback Period" End: | 5/15/2008 |
| Days in "Lookback Period": | 60 |
| "Lookback Period" Average Closing Price: | \$10.0888 |

| Transaction Type | Trade Date | Transaction Type | Trade Date | Total Cost | Shares | Price | Shares Retained | Total Proceeds | Gain (Loss) ¹ | Offset for Shares Sold Into Class Above \$10.0888 |
|--|------------|------------------|------------|------------|---------------|----------|-----------------|----------------------|--------------------------|---|
| 1B. Pre-Class Period Holdings Sold During "Lookback Period" | | | | | | | | | | |
| Pre-Class Period Holdings | | | | | 80,583 | \$10.505 | 0 | \$ 846,539.25 | \$ 0 | \$ 33,550.48 |
| 1B. Total | | | | | 80,583 | | 0 | \$ 846,539.25 | \$ 0 | \$ 33,550.48 |

Maximum of Actual or Average Closing Price between 03/17/2008 and date of sale

State of Michigan Retirement Systems
First-In First-Out ("FIFO") Share Accounting Gain (Loss) Analysis
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|--|------------|
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| Class Period End: | 3/14/2008 |
| "Lookback Period" Beginning: | 3/17/2008 |
| "Lookback Period" End: | 5/15/2008 |
| Days in "Lookback Period": | 60 |
| "Lookback Period" Average Closing Price: | \$10.0888 |

| Transaction Type | Trade Date | Transaction Type | Trade Date | Total Cost | Price | Shares | Total Proceeds | Shares Retained @ 05/15/2008 | Gain (Loss) ¹ | Offset for Shares Sold Into Class Above |
|---|------------|------------------|------------|------------|-------|----------|----------------|------------------------------|--------------------------|---|
| 1C. Pre-Class Period Holdings Held at End of "Lookback Period" | | | | | | | | | | |
| Pre-Class Period Holdings | | | | 0 | | 0 | | 0 | | |
| 1C. Total | | | | 0 | | 0 | \$ - | 0 | \$ - | \$10.0888 |

State of Michigan Retirement Systems
First-In First-Out ("FIFO") Share Accounting Gain (Loss) Analysis
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|--|------------|
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| Days in "Lookback Period": | 60 |
| "Lookback Period" Average Closing Price: | \$10.0888 |

| Transaction Type | Trade Date | Transaction Type | Trade Date | Total Cost | Price | Shares | Total Proceeds | Shares Retained @ 05/15/2008 | Gain (Loss) ¹ | Offset for Shares Sold Into Class Above |
|------------------|------------|------------------|------------|------------|-------|--------|----------------|------------------------------|--------------------------|---|
| Purchase | | | | | | | | | | |
| | | | | 0 \$ | | | - | 0 \$ | - | |
| 2A. Total | | | | | | | | | | \$10.0888 |

2A. Class Period Purchases Sold Prior to End of Class Period

State of Michigan Retirement Systems
First-In First-Out ("FIFO") Share Accounting Gain (Loss) Analysis
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Class Period: December 14, 2006 - March 14, 2008

| | |
|--|------------|
| Class Period Beginning: | 12/14/2006 |
| Class Period End: | 3/14/2008 |
| "Lookback Period" Beginning: | 3/17/2008 |
| "Lookback Period" End: | 5/15/2008 |
| Days in "Lookback Period": | 60 |
| "Lookback Period" Average Closing Price: | \$10.0888 |

| Transaction Type | Trade Date | Price | Shares | Total Cost | Transaction Type | Trade Date | Price | Shares | Total Proceeds | Shares Retained @ 05/15/2008 | Gain (Loss) ¹ | Offset for Shares Sold Into Class Above |
|---|------------|-----------|----------------|-------------------------|------------------|------------|----------|----------------|------------------------|------------------------------|---------------------------|---|
| 2B. Class Period Purchases Sold During "Lookback Period" | | | | | | | | | | | | |
| Purchase | 03/16/2007 | \$147.066 | 2,400 | \$ 352,958.88 | Sale | 03/24/2008 | \$10.505 | 2,400 | \$ 25,212.44 | | \$ (327,746.44) | |
| Purchase | 07/18/2007 | \$137.993 | 79,429 | \$ 10,960,653.94 | Sale | 03/24/2008 | \$10.505 | 79,429 | \$ 834,416.27 | | \$ (10,126,237.67) | |
| Purchase | 07/18/2007 | \$139.340 | 1,500 | \$ 209,009.99 | Sale | 03/24/2008 | \$10.505 | 1,500 | \$ 15,757.78 | | \$ (193,252.21) | |
| Purchase | 07/18/2007 | \$137.963 | 70,849 | \$ 9,774,576.01 | Sale | 03/24/2008 | \$10.505 | 70,849 | \$ 744,281.79 | | \$ (9,030,294.22) | |
| Purchase | 07/18/2007 | \$137.964 | 7,039 | \$ 971,125.08 | Sale | 03/24/2008 | \$10.505 | 7,039 | \$ 73,945.99 | | \$ (897,179.09) | |
| Purchase | 07/18/2007 | \$137.964 | 134,761 | \$ 18,592,099.22 | Sale | 03/25/2008 | \$10.766 | 134,761 | \$ 1,450,820.92 | | \$ (17,141,278.30) | |
| Purchase | 07/18/2007 | \$138.002 | 115,239 | \$ 15,903,189.43 | Sale | 03/25/2008 | \$10.766 | 115,239 | \$ 1,240,649.39 | | \$ (14,662,540.04) | |
| 2B. Total | | | 411,217 | \$ 56,763,612.55 | | | | 411,217 | \$ 4,385,084.57 | 0 | \$ (52,378,527.98) | \$ |

State of Michigan Retirement Systems
First-In First-Out ("FIFO") Share Accounting Gain (Loss) Analysis
The Bear Stearns Companies, Inc. Common Stock
Class Period: December 14, 2006 - March 14, 2008

| | |
|--|------------|
| Class Period Beginning: | 12/14/2006 |
| Class Period End: | 3/14/2008 |
| "Lookback Period" Beginning: | 3/17/2008 |
| "Lookback Period" End: | 5/15/2008 |
| Days in "Lookback Period": | 60 |
| "Lookback Period" Average Closing Price: | \$10.0888 |

| Transaction Type | Trade Date | Price | Shares | Total Cost | Transaction Type | Trade Date | Price | Shares | Total Proceeds | Shares Retained @ 05/15/2008 | Gain (Loss) ¹ | Offset for Shares Sold Into Class Above |
|------------------|------------|-----------|---------------|-------------------------|------------------|------------|-------|----------|----------------|------------------------------|---------------------------|---|
| Purchase | 07/18/2007 | \$138.002 | 15,332 | \$ 2,115,843.60 | | | | | | | | |
| Purchase | 07/18/2007 | \$139.340 | 1,900 | \$ 264,745.99 | | | | | | 15,332 | \$ (1,961,161.55) | |
| Purchase | 07/18/2007 | \$139.340 | 1,400 | \$ 195,075.99 | | | | | | 1,900 | \$ (245,577.20) | |
| Purchase | 07/19/2007 | \$139.143 | 9,722 | \$ 1,352,747.28 | | | | | | 1,400 | \$ (180,951.62) | |
| Purchase | 07/19/2007 | \$139.143 | 10,561 | \$ 1,469,488.17 | | | | | | 9,722 | \$ (1,254,663.60) | |
| Purchase | 07/20/2007 | \$135.980 | 44,068 | \$ 5,992,375.45 | | | | | | 10,561 | \$ (1,362,939.96) | |
| Purchase | 10/11/2007 | \$126.330 | 200 | \$ 25,266.00 | | | | | | 44,068 | \$ (5,547,780.57) | |
| Purchase | 12/26/2007 | \$87.614 | 200 | \$ 17,522.76 | | | | | | 200 | \$ (23,248.23) | |
| | | | | | | | | | | 200 | \$ (15,504.99) | |
| 2C. Total | | | 83,383 | \$ 11,433,065.24 | | | | 0 | \$ - | 83,383 | \$ (10,591,827.72) | |

State of Michigan Retirement Systems
First-In First-Out ("FIFO") Share Accounting Gain (Loss) Analysis
The Bear Stearns Companies, Inc. Common Stock
Class Period: December 14, 2006 - March 14, 2008

| | |
|--|------------|
| Class Period Beginning: | 12/14/2006 |
| Class Period End: | 3/14/2008 |
| "Lookback Period" Beginning: | 3/17/2008 |
| "Lookback Period" End: | 5/15/2008 |
| Days in "Lookback Period": | 60 |
| "Lookback Period" Average Closing Price: | \$10.0888 |

| Transaction Type | Trade Date | Price | Shares | Total Cost | Transaction Type | Trade Date | Total Proceeds | Shares Retained @ 05/15/2008 | Gain (Loss) ¹ | Offset for Shares Sold Into Class Above \$10.0888 |
|-----------------------------|------------|-------|---------|------------------|------------------|------------|----------------|------------------------------|--------------------------|---|
| Class Period Purchase Total | | | 494,600 | \$ 68,196,677.79 | | | 4,385,084.57 | 83,383 | \$ (62,970,355.71) | |
| Grand Total | | | 494,600 | \$ 68,196,677.79 | | | 6,706,122.94 | 83,383 | | |

¹ For Class Period Purchases held at end of Lookback Period, Gain (Loss) is based on holdings valued at \$10.0888 per share

State of Michigan Retirement Systems
 Last-In First-Out ("LIFO") Share Accounting Gain (Loss) Analysis
 The Bear Stearns Companies, Inc. Common Stock
 Class Period: December 14, 2006 - March 14, 2008

| | |
|--|------------|
| Class Period Beginning: | 12/14/2006 |
| Class Period End: | 3/14/2008 |
| "Lookback Period" Beginning: | 3/17/2008 |
| "Lookback Period" End: | 5/15/2008 |
| Days in "Lookback Period": | 60 |
| "Lookback Period" Average Closing Price: | \$10.0888 |

| Offset for Shares Sold Into Class Above \$10.0888 | | | | | | | | | | | |
|--|---------------|-------|--------|---------------|---------------------|---------------|-----------|--------|-------------------|------------------------------------|-----------------------------|
| Transaction Type | Trade Date | Price | Shares | Total Cost | Transaction Type | Trade Date | Price | Shares | Total Proceeds | Shares Retained @ 05/15/2008 | Gain (Loss) ¹ |
| Pre-Class Period Holdings | | | | 92,183 | | | | | | | |
| 1A. Pre-Class Period Holdings Sold Through End of Class Period | | | | | | | | | | | |
| Pre-Class Period Holdings | | | 1,600 | | Sale | 12/15/2006 | \$162.323 | 1,600 | \$ 259,716.02 | 0 | \$ 243,573.88 |
| Pre-Class Period Holdings | | | 300 | | Sale | 12/19/2006 | \$163.753 | 300 | \$ 49,125.77 | 0 | \$ 46,099.12 |
| Pre-Class Period Holdings | | | 900 | | Sale | 12/21/2006 | \$163.646 | 900 | \$ 147,281.82 | 0 | \$ 138,201.87 |
| 1A. Total | | | | 2,800 | | | | 2,800 | \$ 456,123.61 | 0 | \$ 427,874.87 |

State of Michigan Retirement Systems
 Last-In First-Out ("LIFO") Share Accounting Gain (Loss) Analysis
 The Bear Stearns Companies, Inc. Common Stock
 Class Period: December 14, 2006 - March 14, 2008

| | |
|--|------------|
| Class Period Beginning: | 12/14/2006 |
| Class Period End: | 3/14/2008 |
| "Lookback Period" Beginning: | 3/17/2008 |
| "Lookback Period" End: | 5/15/2008 |
| Days in "Lookback Period": | 60 |
| "Lookback Period" Average Closing Price: | \$10.0888 |

| Transaction Type | Trade Date | Transaction Type | Trade Date | Total Cost | Shares | Price | Shares | Total Proceeds | Shares Retained @ 05/15/2008 | Gain (Loss) ¹ | Offset for Shares Sold Into Class Above |
|--|------------|------------------|------------|------------|--------------|----------|--------------|---------------------|------------------------------|--------------------------|---|
| 1B. Pre-Class Period Holdings Sold During "Lookback Period" | | | | | | | | | | | |
| Pre-Class Period Holdings | | | 03/25/2008 | | 6,000 | \$ 6,000 | 6,000 | \$ 64,595.29 | | \$ 4,062.26 | |
| 1B. Total | | | | | 6,000 | | 6,000 | \$ 64,595.29 | 0 | \$ | \$ 4,062.26 |

Maximum of Actual or Average Closing Price between 03/17/2008 and date of sale

State of Michigan Retirement Systems
 Last-In First-Out ("LIFO") Share Accounting Gain (Loss) Analysis
 The Bear Stearns Companies, Inc. Common Stock
 Class Period: December 14, 2006 - March 14, 2008

| | |
|--|------------|
| Class Period Beginning: | 12/14/2006 |
| Class Period End: | 3/14/2008 |
| "Lookback Period" Beginning: | 3/17/2008 |
| "Lookback Period" End: | 5/15/2008 |
| Days in "Lookback Period": | 60 |
| "Lookback Period" Average Closing Price: | \$10.0888 |

| Transaction Type | Trade Date | Transaction Type | Trade Date | Total Cost | Shares | Price | Shares | Total Proceeds | Shares Retained @ 05/15/2008 | Gain (Loss) ¹ | Offset for Shares Sold Into Class Above |
|--|------------|------------------|------------|------------|--------|-------|--------|----------------|------------------------------|--------------------------|---|
| 1C. Pre-Class Period Holdings Held at End of "Lookback Period" | | | | | | | | | | | |
| Pre-Class Period Holdings | | | | | 83,383 | | | | 83,383 | | |
| 1C. Total | | | | | 83,383 | | 0 | \$ - | 83,383 | | \$ - |

State of Michigan Retirement Systems
 Last-In First-Out ("LIFO") Share Accounting Gain (Loss) Analysis
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| | |
|--|------------|
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| Days in "Lookback Period": | 60 |
| "Lookback Period" Average Closing Price: | \$10.0888 |

| Transaction Type | Trade Date | Price | Shares | Total Cost | Transaction Type | Trade Date | Price | Shares | Total Proceeds | Shares Retained @ 05/15/2008 | Gain (Loss) ¹ | Offset for Shares Sold Into Class Above |
|---|------------|-----------|--------------|------------------------|------------------|------------|-----------|--------------|------------------------|------------------------------|--------------------------|---|
| 2A. Class Period Purchases Sold Prior to End of Class Period | | | | | | | | | | | | |
| Purchase | 03/16/2007 | \$147.066 | 300 | \$ 44,119.86 | Sale | 06/15/2007 | \$150.878 | 300 | \$ 45,263.30 | 0 | \$ 1,143.44 | |
| Purchase | 07/20/2007 | \$135.980 | 2,600 | \$ 353,548.52 | Sale | 07/20/2007 | \$135.051 | 2,600 | \$ 351,132.68 | 0 | \$ (2,415.84) | |
| Purchase | 07/20/2007 | \$135.980 | 3,200 | \$ 435,136.64 | Sale | 09/21/2007 | \$117.088 | 3,200 | \$ 374,682.26 | 0 | \$ (60,454.38) | |
| Purchase | 10/11/2007 | \$126.330 | 200 | \$ 25,266.00 | Sale | 11/28/2007 | \$99.448 | 200 | \$ 19,889.69 | 0 | \$ (5,376.31) | |
| Purchase | 07/20/2007 | \$135.980 | 2,300 | \$ 312,754.46 | Sale | 12/21/2007 | \$91.013 | 2,300 | \$ 209,329.68 | 0 | \$ (103,424.78) | |
| Purchase | 12/26/2007 | \$87.614 | 200 | \$ 17,522.76 | Sale | 02/01/2008 | \$90.390 | 200 | \$ 18,077.90 | 0 | \$ 555.14 | |
| 2A. Total | | | 8,800 | \$ 1,188,348.24 | | | | 8,800 | \$ 1,018,375.51 | 0 | \$ (169,972.73) | \$ |

State of Michigan Retirement Systems
 Last-In First-Out ("LIFO") Share Accounting Gain (Loss) Analysis
 The Bear Stearns Companies, Inc. Common Stock
 Class Period: December 14, 2006 - March 14, 2008

| | |
|--|------------|
| Class Period Beginning: | 12/14/2006 |
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| "Lookback Period" Beginning: | 3/17/2008 |
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| Days in "Lookback Period": | 60 |
| "Lookback Period" Average Closing Price: | \$10.0888 |

| Transaction Type | Trade Date | Price | Shares | Total Cost | Transaction Type | Trade Date | Price | Shares | Total Proceeds | Shares Retained @ 05/15/2008 | Gain (Loss) ¹ | Offset for Shares Sold Into Class Above |
|---|------------|-----------|----------------|-------------------------|------------------|------------|----------|----------------|------------------------|------------------------------|---------------------------|---|
| 2B. Class Period Purchases Sold During "Lookback Period" | | | | | | | | | | | | |
| Purchase | 07/18/2007 | \$137.964 | 51,678 | \$ 7,129,677.75 | Sale | 03/24/2008 | \$10.505 | 51,678 | \$ 542,886.90 | 0 | \$ (6,586,790.85) | |
| Purchase | 07/18/2007 | \$138.002 | 130,571 | \$ 18,019,033.03 | Sale | 03/24/2008 | \$10.505 | 130,571 | \$ 1,371,672.39 | 0 | \$ (16,647,360.64) | |
| Purchase | 07/18/2007 | \$139.340 | 1,900 | \$ 264,745.99 | Sale | 03/24/2008 | \$10.505 | 1,900 | \$ 19,959.85 | 0 | \$ (244,786.14) | |
| Purchase | 07/18/2007 | \$139.340 | 1,400 | \$ 195,075.99 | Sale | 03/24/2008 | \$10.505 | 1,400 | \$ 14,707.26 | 0 | \$ (180,368.73) | |
| Purchase | 07/19/2007 | \$139.143 | 9,722 | \$ 1,352,747.28 | Sale | 03/24/2008 | \$10.505 | 9,722 | \$ 102,131.40 | 0 | \$ (1,250,615.88) | |
| Purchase | 07/19/2007 | \$139.143 | 10,561 | \$ 1,469,488.17 | Sale | 03/24/2008 | \$10.505 | 10,561 | \$ 110,945.25 | 0 | \$ (1,358,542.92) | |
| Purchase | 07/20/2007 | \$135.980 | 35,968 | \$ 4,890,935.83 | Sale | 03/24/2008 | \$10.505 | 35,968 | \$ 377,850.46 | 0 | \$ (4,513,085.37) | |
| Purchase | 03/16/2007 | \$147.066 | 2,100 | \$ 308,839.02 | Sale | 03/25/2008 | \$10.766 | 2,100 | \$ 22,608.35 | 0 | \$ (286,230.67) | |
| Purchase | 07/18/2007 | \$137.993 | 79,429 | \$ 10,960,653.94 | Sale | 03/25/2008 | \$10.766 | 79,429 | \$ 855,123.18 | 0 | \$ (10,105,530.76) | |
| Purchase | 07/18/2007 | \$139.340 | 1,500 | \$ 209,009.99 | Sale | 03/25/2008 | \$10.766 | 1,500 | \$ 16,148.82 | 0 | \$ (192,861.17) | |
| Purchase | 07/18/2007 | \$137.963 | 70,849 | \$ 9,774,576.01 | Sale | 03/25/2008 | \$10.766 | 70,849 | \$ 762,751.92 | 0 | \$ (9,011,824.09) | |
| Purchase | 07/18/2007 | \$137.964 | 90,122 | \$ 12,433,546.55 | Sale | 03/25/2008 | \$10.766 | 90,122 | \$ 970,242.75 | 0 | \$ (11,463,303.80) | |
| 2B. Total | | | 485,800 | \$ 67,008,329.55 | | | | 485,800 | \$ 5,167,028.53 | 0 | \$ (61,841,301.02) | \$ |

State of Michigan Retirement Systems
 Last-In First-Out ("LIFO") Share Accounting Gain (Loss) Analysis
 The Bear Stearns Companies, Inc. Common Stock
 Class Period: December 14, 2006 - March 14, 2008

| | |
|--|------------|
| Class Period Beginning: | 12/14/2006 |
| Class Period End: | 3/14/2008 |
| "Lookback Period" Beginning: | 3/17/2008 |
| "Lookback Period" End: | 5/15/2008 |
| Days in "Lookback Period": | 60 |
| "Lookback Period" Average Closing Price: | \$10.0888 |

| Transaction Type | Trade Date | Price | Shares | Total Cost | Transaction Type | Trade Date | Price | Shares | Total Proceeds | Shares Retained @ 05/15/2008 | Gain (Loss) ¹ | Offset for Shares Sold Into Class Above |
|------------------|------------|-------|--------|------------|------------------|------------|-------|--------|----------------|------------------------------|--------------------------|---|
| | | | | | | | | | | | | \$10.0888 |

2C. Class Period Purchases Held At End of "Lookback Period"

| | | | | | | | | | | | | |
|-----------|--|--|--|------|--|--|--|------|---|------|------|---|
| Purchase | | | | | | | | | | | | |
| | | | | 0 \$ | | | | 0 \$ | - | 0 \$ | 0 \$ | - |
| 2C. Total | | | | 0 \$ | | | | 0 \$ | - | 0 \$ | 0 \$ | - |

State of Michigan Retirement Systems
 Last-In First-Out ("LIFO") Share Accounting Gain (Loss) Analysis
 The Bear Stearns Companies, Inc. Common Stock
 Class Period: December 14, 2006 - March 14, 2008

| | |
|--|------------|
| Class Period Beginning: | 12/14/2006 |
| Class Period End: | 3/14/2008 |
| "Lookback Period" Beginning: | 3/17/2008 |
| "Lookback Period" End: | 5/15/2008 |
| Days in "Lookback Period": | 60 |
| "Lookback Period" Average Closing Price: | \$10.0888 |








| Transaction Type | Trade Date | Transaction Type | Trade Date | Total Cost | Price | Shares | Total Proceeds | Shares Retained @ 05/15/2008 | Gain (Loss) ¹ | Offset for Shares Sold Into Class Above \$10.0888 |
|-----------------------------|------------|------------------|------------|--------------------------|-------|---------|-----------------|------------------------------|--------------------------|---|
| Class Period Purchase Total | | | | 494,600 \$ 68,196,677.79 | | 494,600 | \$ 6,185,404.04 | 0 | \$ (62,011,273.75) | |
| Grand Total | | | | 494,600 \$ 68,196,677.79 | | 503,400 | \$ 6,706,122.94 | 83,383 | | |

¹ For Class Period Purchases held at end of Lookback Period, Gain (Loss) is based on holdings valued at \$10.0888 per share. Total figures may differ from FIFO, as under LIFO, post-Class Period sales are first allocated to post-Class Period purchases, if any. These purchases and sales, if any, are not shown here.

Exhibit C

Search Results for Google

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March 17, 2008 03:12 PM Eastern Daylight Time 

Coughlin Stoia Geller Rudman & Robbins LLP Files Class Action Suit against the Bear Stearns Companies Inc

NEW YORK--([BUSINESS WIRE](#))--Coughlin Stoia Geller Rudman & Robbins LLP ("Coughlin Stoia") (<http://www.csgr.com/cases/bearstearns/>) today announced that a class action has been commenced in the United States District Court for the Southern District of New York on behalf of purchasers of The Bear Stearns Companies Inc. ("Bear Stearns") (NYSE:BSC) common stock during the period between December 14, 2006 and March 14, 2008 (the "Class Period").

If you wish to serve as lead plaintiff, you must move the Court no later than 60 days from today. If you wish to discuss this action or have any questions concerning this notice or your rights or interests, please contact plaintiff's counsel, Samuel H. Rudman and David Rosenfeld of Coughlin Stoia at 800/449-4900 or 619/231-1058, or via e-mail at [djrr@csgr.com](mailto:djr@csgr.com). If you are a member of this class, you can view a copy of the complaint as filed or join this class action online at <http://www.csgr.com/cases/bearstearns/>. Any member of the purported class may move the Court to serve as lead plaintiff through counsel of their choice, or may choose to do nothing and remain an absent class member.

The complaint charges Bear Stearns and certain of its officers and directors with violations of the Securities Exchange Act of 1934. Bear Stearns, through its broker-dealer and international bank subsidiaries, provides investment banking, securities and derivatives trading, clearance, and brokerage services worldwide.

The complaint alleges that during the Class Period, defendants issued materially false and misleading statements regarding the Company's business and financial results. As a result of defendants' false statements, Bear Stearns stock traded at artificially inflated prices during the Class Period, reaching a high of \$159.36 per share in April 2007. In late June 2007, news about Bear Stearns' risky hedge funds began to enter the market and its stock price began to fall. On March 10, 2008, information leaked into the market about Bear Stearns' liquidity problems, causing the stock to drop to as low as \$60.26 per share before closing at \$62.30 per share. On March 13, 2008, news that Bear Stearns was forced to seek emergency financing from the Federal Reserve and J.P. Morgan Chase hit the market and Bear Stearns stock fell to \$30 per share. Then, on Sunday, March 16, 2008, it was announced that J.P. Morgan Chase was purchasing Bear Stearns for \$2 per share. By midday on Monday, March 17, 2008, Bear Stearns stock had collapsed another 85% to \$4.30 per share on volume of 75 million shares.

According to the complaint, the Company's Class Period statements were materially false due to defendants' failure to inform the market of the problems in the Company's hedge funds due to the deteriorating subprime mortgage market, which would cause Bear Stearns to have to rescue the funds, cause the Company and its officers possible criminal liability and hurt the Company's reputation.

 [Print](#)

Plaintiff seeks to recover damages on behalf of all purchasers of Bear Stearns common stock during the Class Period (the "Class"). The plaintiff is represented by Coughlin Stoia, which has expertise in prosecuting investor class actions and extensive experience in actions involving financial fraud.

Coughlin Stoia, a 190-lawyer firm with offices in San Diego, San Francisco, Los Angeles, New York, Boca Raton, Washington, D.C., Philadelphia and Atlanta, is active in major litigations pending in federal and state courts throughout the United States and has taken a leading role in many important actions on behalf of defrauded investors, consumers, and companies, as well as victims of human rights violations. The Coughlin Stoia Web site (<http://www.csgr.com>) has more information about the firm.

Contacts

Coughlin Stoia Geller Rudman &
Robbins LLP
Samuel H. Rudman and David
Rosenfeld
800-449-4900
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Exhibit D



LABATON SUCHAROW LLP

INVESTOR PROTECTION LITIGATION

THE FIRM AND ITS ACHIEVEMENTS

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Founded in 1963, Labaton Sucharow LLP (“Labaton Sucharow”) is an internationally respected law firm based in New York City and has relationships throughout the U.S., Europe and the world. The Firm consists of more than 60 attorneys and a professional support staff that includes certified public accountants, licensed private investigators, resident securities analysts and 10 paralegals. The Firm prosecutes major complex litigation in the United States, and has successfully conducted a wide array of representative actions (principally class, mass and derivative) in the areas of securities, antitrust, merger/ acquisition, limited partnership, ERISA, product liability, and consumer litigation. Labaton Sucharow’s Investor Protection Litigation Group offers comprehensive services for our institutional investor clients and has recovered, through trial and settlement, more than \$3 billion for the benefit of investors who have been victimized by such diverse schemes as stock price manipulation, mismanagement, and fraudulent offerings of securities. Through its efforts, the litigation group has also obtained meaningful corporate governance reforms to minimize the likelihood of repetitive wrongful conduct. Visit our website at www.labaton.com for more information about our dynamic firm.

CORPORATE GOVERNANCE

Labaton Sucharow is committed to corporate governance reform. The Firm is a patron of the John L. Weinberg Center for Corporate Governance of the University of Delaware (“The Center”). The Center provides a forum for business leaders, directors of corporate boards, the legal community, academics, practitioners, graduate and undergraduate students, and others interested in corporate governance issues to meet and exchange ideas. One of Labaton Sucharow’s senior partners, Edward Labaton, is a member of the Advisory Committee of The Center. Additionally, Mr. Labaton has for more than 10 years served as a member of the Program Planning Committee for the annual ALI-ABA Corporate Governance Institute, and serves on the Task Force on the Role of Lawyers in Corporate Governance of the Association of the Bar of the City of New York.

On behalf of its institutional and individual investor clients, Labaton Sucharow has achieved some of the largest precedent-setting settlements since the enactment of the Private Securities Litigation Reform Act of 1995 (“PSLRA”), and has helped avert future instances of securities fraud by negotiating substantial corporate governance reforms as conditions of many of its largest settlements.

Because of the depth of their experience and deep commitment to the principles of corporate governance, many Labaton Sucharow partners have served as featured speakers on topics relating to corporate governance and reform at various symposia and lectures.

As a result of Labaton Sucharow’s extensive experience and commitment to corporate governance reform, the Firm’s clients have secured meaningful reforms, in addition to substantial monetary recoveries, in significant settlements such as:

- ***In re Waste Management, Inc. Securities Litigation***, Civ. No. H-99-2183 (S.D. Tex.): Labaton Sucharow, acting as Lead Counsel for the State of Connecticut Retirement Plans & Trust Funds, caused the Company to present a binding resolution to declassify its board of directors, which was approved by its shareholders. As a consequence of Labaton Sucharow's efforts, the Company further agreed to amend its Audit Committee charter, which led to its enhanced effectiveness.
- ***In re Vesta Insurance Group Securities Litigation***, Civ. No. CV-98-W-1407-S (N.D. Ala.): Labaton Sucharow, acting as Lead Counsel for the Florida State Board of Administration, caused the Company to adopt provisions requiring that: (i) a majority of its Board members be independent; (ii) at least one independent director be experienced in corporate governance; (iii) the audit, nominating and compensation committees be comprised entirely of independent directors; and (iv) the audit committee comply with the recommendations of the Blue Ribbon Panel on the effectiveness of audit committees.
- ***In re Orbital Sciences Corporation Securities Litigation***, Civ. No. 99-197-A (E.D. Va.): Labaton Sucharow, acting as Lead Counsel for the New York City Pension Funds, negotiated the implementation of measures concerning the Company's quarterly review of its financial results, the composition, role and responsibilities of its Audit and Finance committee, and the adoption of a Board resolution providing guidelines regarding senior executives' exercise and sale of vested stock options.

- ***In re Bristol-Myers Squibb Securities Litigation***, Civ. No. 00-1990 (D.N.J.):

Labaton Sucharow, acting as Lead Counsel for the LongView Collective Investment Fund of the Amalgamated Bank, negotiated noteworthy corporate governance reforms. Bristol-Myers Squibb (“BMS”) has agreed to publicly disclose the following information concerning all of its drugs marketed for at least one indication: a description of the clinical study design and methodology; results of the clinical trials; and safety results, including the reporting of adverse events seen during the clinical trials. The disclosures will be posted on BMS’s website, www.BMS.com, as well as an industry website, www.clinicalstudyresults.org. BMS has agreed to post these disclosures for a 10-year period following approval of the settlement, and has further agreed that any modifications to the disclosure protocol must be approved by the Court, at the request of Labaton Sucharow as Lead Counsel, unless the modifications increase the scope of the disclosures. The corporate reform measures obtained in this case exceed the scope of reforms obtained by New York State Attorney General Eliot Spitzer in his settlement of an action against GlaxoSmithKline (“GSK”) arising from the sale of Paxil, an antidepressant. The Paxil settlement is limited to drugs sold in the United States, whereas as a result of the BMS settlement, the company must post the clinical trial results of drugs marketed in any country throughout the world.
- ***The Boeing Company***, Civ. No. 03 CH 15039 and Civ. No. 03 CH 16301 (Cook Co., Ill, Ch. Div.): In 2006, Labaton Sucharow, acting as Lead Counsel for Plaintiffs in a derivative class action against the directors of The Boeing Company (“Boeing”), achieved a landmark settlement establishing unique and far-reaching

corporate governance standards relating to ethics compliance, provisions that obligated Boeing to contribute significant funds over and above base compliance spending to implement the various prescribed initiatives. The terms were well designed to provide for early detection and prevention of corporate misconduct. They were comprehensive and integrated, enhancing effectiveness by providing for top-down oversight, direction and planning; and buttressed by extensive and coordinated bottom-up and horizontal reporting. They were also designed to enhance Board independence and effectiveness and, by creating a direct reporting role to the Board, the independence of the management level oversight functions.

NOTABLE LEAD COUNSEL APPOINTMENTS

Labaton Sucharow's institutional and individual investor clients are regularly appointed by federal courts to serve as lead plaintiffs in prominent securities litigations brought under the PSLRA. Since January 2003, dozens of state, city and county public pension funds and union funds have selected Labaton Sucharow to represent them in federal securities class actions and advise them as securities litigation/investigation counsel. Listed below are a few of our current notable Lead Counsel appointments.

IN RE AMERICAN INTERNATIONAL GROUP, INC. SECURITIES LITIGATION,
No. 04 Civ. 8141 (JES) (S.D.N.Y.)

Representing the State of Ohio as Lead Plaintiff.

IN RE HEALTHSOUTH CORPORATION SECURITIES LITIGATION,
Consolidated Case No. CV-03-BE-1501-S (N.D. Ala.)

Representing New Mexico State Investment Counsel,
the Educational Retirement Board of New Mexico,
and the State of Michigan Retirement System
as Co-Lead Plaintiffs.

IN RE AMGEN INC. SECURITIES LITIGATION
No. CV 07-2356 PSG (C.D. CAL.)

Representing Connecticut Retirement Plans and Trust Funds

PAPPAS V. COUNTRYWIDE FINANCIAL CORP.
No. C 07-5295 MRP (MANX) (C.D. CAL.)

Representing the State of New York and the New York City Pension Funds

TRIAL EXPERIENCE

Few securities class action cases go to trial. But when it is in the best interests of its clients and the class, Labaton Sucharow repeatedly has demonstrated its willingness and ability to try these complex securities cases before a jury.

Labaton Sucharow's recognized willingness and ability to bring cases to trial significantly increases the ultimate settlement value for shareholders. For example, in *In re Real Estate Associates Limited Partnership Litigation*, when defendants were unwilling to settle for an amount Labaton Sucharow and its clients viewed as fair, we tried the case with co-counsel for six weeks and obtained a landmark \$184 million jury verdict in November 2002. The jury supported plaintiffs' position that defendants knowingly violated the federal securities laws, and that the general partner had breached his fiduciary duties to plaintiffs. The \$184 million award was one of the largest jury verdicts returned in any PSLRA action and one in which the plaintiff class, consisting of 18,000 investors, recovered 100% of their damages.

NOTABLE SUCCESSES

Labaton Sucharow has achieved notable successes in major securities litigations on behalf of its clients and certified investor classes.

- Labaton Sucharow served as Lead Counsel to the Connecticut Retirement Plans and Trust Funds in *In re Waste Management, Inc. Securities Litigation*, Civ. No. H-99-2183 (S.D. Tex.). In 2002, Judge Melinda Harmon approved an extraordinary settlement that provided for recovery of \$457 million in cash, plus an array of far-reaching corporate governance measures. At that time, this settlement was the largest common fund settlement of a securities action achieved in any court within the Fifth Circuit and the third-largest achieved in any federal court in the nation. Judge Harmon noted, among other things, that Labaton Sucharow “obtained an outstanding result by virtue of the quality of the work and vigorous representation of the Class.”
- Labaton Sucharow served as Lead Counsel representing the class and Lead Plaintiff, the LongView Collective Investment Fund of the Amalgamated Bank, in *In re Bristol-Myers Squibb Securities Litigation*, Civ. No. 00-1990 (D.N.J.). After prosecuting securities fraud claims against BMS for more than five years, Labaton Sucharow reached an agreement to settle the claims for \$185 million and significant corporate governance reforms. This settlement is the second largest recovery against a pharmaceutical company, and it is the largest recovery ever obtained against a pharmaceutical company in a securities fraud case involving the development of a new drug. Moreover, the settlement is the largest ever obtained against a pharmaceutical company in a securities fraud case that did not involve a restatement of financial results.
- Labaton Sucharow represented the Florida State Board of Administration as Lead Plaintiff in *In re Vesta Insurance Group, Inc. Securities Litigation*, Civ.

No. CV-98-AR-1407 (N.D. Ala.). After years of protracted litigation, Labaton Sucharow secured a settlement of \$78 million on the eve of trial.

- In *Abrams v. VanKampen Funds, Inc.*, 01 C 7538 (N.D. Ill.), in January 2006 Labaton Sucharow obtained final approval of a \$31.5 million settlement in an innovative class action concerning VanKampen's senior loan mutual fund, alleging that the fund overpriced certain senior loan interests where market quotations were readily available. The gross settlement fund constitutes a recovery of about 70% of the class's damages as determined by plaintiffs' counsel.
- Labaton Sucharow represented the named New York City pension funds as Lead Plaintiff in *In re Orbital Sciences Corp. Securities Litigation*, Civ. No. 99-197-A (E.D. Va.). After cross-motions for summary judgment were fully briefed, defendants (and Orbital's auditor in a related proceeding) agreed to a \$23.5 million cash settlement, warrants, and substantial corporate governance measures.
- In *In re CapRock Communications Corp. Securities Litigation*, Civ. No. 3-00-CV-1613-R (N.D. Tex.), Labaton Sucharow represented a prominent Louisiana-based investment adviser in claims alleging violations of the federal securities laws. The case settled for \$11 million in 2003.
- In the well-known *In re Prudential Securities Inc. Limited Partnership Litigation*, Civ. No. M-21-67 (S.D.N.Y.), the late Judge Milton Pollack cited the "Herculean" efforts of Labaton Sucharow and its Co-Lead Counsel and, in approving a \$110 million partial settlement, stated that "this case represents a

unique recovery – a recovery that does honor to every one of the lawyers on your side of the case.”

- In ***In re PaineWebber Limited Partnerships Litigation***, Master File No. 94 Civ. 832/7 (SHS) (S.D.N.Y.), Judge Sidney H. Stein approved a settlement valued at \$200 million and found “that Class Counsel’s representation of the Class has been of high caliber in conferences, in oral arguments and in work product.”
- In ***Rosengarten v. International Telephone & Telegraph Corp.***, Civ. No. 76-1249 (N.D.N.Y.), Judge Morris Lasker noted that the Firm “served the corporation and its stockholders with professional competence as well as admirable intelligence, imagination and tenacity.”
- In ***In re Prudential-Bache Energy Income Partnerships Securities Litigation***, MDL No. 888, an action in which Labaton Sucharow served on the Executive Committee of Plaintiffs’ Counsel, Judge Marcel Livaudais, Jr., of the United States District Court for the Eastern District of Louisiana, observed that:

Counsel were all experienced, possessed high professional reputations and were known for their abilities. Their cooperative effort in efficiently bringing this litigation to a successful conclusion is the best indicator of their experience and ability

The Executive Committee is comprised of law firms with national reputations in the prosecution of securities class action and derivative litigation. The biographical summaries submitted by each member of the Executive Committee attest to the accumulated experience and record of success these firms have compiled.
- In ***New York City Employees’ Retirement System v. Adelphia Communications Corp.***, Civ. No. 02-CV-3778 (E.D. Pa.), Labaton Sucharow is prosecuting two individual securities actions on behalf of certain New York City

Pension Funds and on behalf of the New Jersey Division of Investment, each against Adelphia Communications Corp., its directors, officers, underwriters and auditors. To date, the Court has issued several decisions resolving aspects of the motions to dismiss made by defendants. One of those decisions upheld the standing of the New Jersey Division to sue on behalf of the pension and retirement funds of certain New Jersey State agencies. In addition, the New York City Funds and the New Jersey Division have moved for partial summary judgment against three individual defendants, including John and Timothy Rigas, based upon those defendants' convictions in related criminal proceedings.

- In ***STI Classic Funds v. Bollinger Industries, Inc.***, No. 96-CV-0823-R (N.D. Tex.), Labaton Sucharow commenced related suits in both state and federal courts in Texas on behalf of STI Classic Funds and STI Classic Sunbelt Equity Fund, affiliates of the SunTrust Bank, the fifth-largest bank in the United States. As a result of Labaton Sucharow's efforts, the class of Bollinger Industries, Inc. investors on whose behalf the bank sued obtained the maximum recovery possible from the individual defendants and a substantial recovery from the underwriter defendants. Notwithstanding a strongly unfavorable trend in the law in the State of Texas, and strong opposition by the remaining accountant firm defendant, Labaton Sucharow has obtained class certification and continues to prosecute the case against that firm.
- In ***In re Just for Feet Noteholder Litigation***, Civ. No. CV-00-C-1404-S (N.D. Ala.), Labaton Sucharow, as Lead Counsel, represents Lead Plaintiff Delaware Management and the Aid Association for Lutherans with respect to claims

brought on behalf of noteholders. On October 21, 2005, Chief Judge Clemon of the U.S. District Court for the Northern District of Alabama preliminarily approved Plaintiffs' settlement with Banc of America Securities LLC, the sole remaining defendant in the case, for \$17.75 million. During the course of the litigation, Labaton Sucharow obtained certification for a class of corporate bond purchasers in a ground-breaking decision, *AAL High Yield Bond Fund v. Ruttenberg*, 229 F.R.D. 676 (N.D. Ala. 2005), which is the first decision by a federal court to explicitly hold that the market for high-yield bonds such as those at issue in the action was efficient.

- In *In re InterMune Securities Litigation*, Master File No. 03-2454 SI (N.D. Cal. 2005), Labaton Sucharow commenced an action on behalf of its client, a substantial investor, against InterMune, a biopharmaceutical firm, and certain of its officers, alleging securities fraud in connection with InterMune's sales and marketing of a drug for off-label purposes. Notwithstanding higher pleading and proof standards in the jurisdiction in which the action had been filed, Labaton Sucharow utilized its substantial investigative resources and creative alternative theories of liability to successfully obtain an early, pre-discovery settlement of \$10.4 million. The Court complimented Labaton Sucharow on its ability to obtain a substantial benefit for the Class in such an effective manner.
- In *In re St. Paul Travelers Securities Litigation*, 04-CV-3801 (D. Minn.), Labaton Sucharow was able to successfully negotiate the creation of an all cash settlement fund to compensate investors in the amount of \$67.5 million in November 2005. This settlement represents the third-largest securities class action

settlement in the Eighth Circuit and one of the top 100 largest settlements of all time.

- In ***In re El Paso Corporation Securities Litigation***, Civ. No. H-02-2717 (S.D. Tex.), Labaton Sucharow secured a \$285 million class action settlement against the El Paso Corporation. The case involved a securities fraud stemming from the Company's inflated earnings statements, which cost shareholders hundreds of millions of dollars during a four-year span. The settlement was approved by the Court on March 6, 2007.
- Labaton Sucharow serves as Co-Lead Counsel in ***In re HealthSouth Securities Litigation***, Civ. No CV-03-BE-1500-S (N.D. Ala.), a case stemming from the largest fraud ever perpetrated in the healthcare industry. In early 2006, Lead Plaintiffs negotiated a settlement of \$445 million with Defendant HealthSouth. This partial settlement, comprised of cash and HealthSouth securities to be distributed to the class, is one of the largest in history. Lead Plaintiffs continue their prosecution of the litigation against Richard Scrushy, Healthsouth's former CEO, Ernst & Young, and UBS, among others.
- In ***Desert Orchid Partners, L.L.C. v. Transactions Systems Architects, Inc.***, Civ. No. 02 CV 533 (D. Neb.), Labaton Sucharow represented the Genesee Employees' Retirement System as Lead Plaintiff in claims alleging violations of the federal securities laws. On March 2, 2007, the Court granted final approval to the settlement of this action for \$24.5 million in cash.
- In ***In re SupportSoft Securities Litigation***, Civ. No. C 04-5222 SI (N.D. Cal.), Labaton Sucharow secured a \$10.7 million settlement on October 2, 2007 against

SupportSoft, Inc. The action alleged that the Defendants had artificially inflated the price of the Company's securities by re-working previously entered into license agreements for the Company's software in order to accelerate the recognition of revenue from those contracts.

- ***In re St. Paul Traveler's II Securities Litigation***, Civ. No. 04-4697 (JRT/FLN) (D. Minn.), the second of two cases filed against St. Paul Travelers by Labaton Sucharow LLP, arose from the industry-wide insurance scandal involving American International Group, Marsh McLennan, the St. Paul Companies and numerous other insurance providers and brokers. On January 31, 2008, the Court preliminary approved a \$77 million settlement.

NOTABLE SUCCESSES IN OPTIONS BACKDATING CASES

- In ***In re Mercury Interactive Corp. Securities Litigation***, Civ. No. 5:05-CV-3395 (N.D. Cal.), Labaton Sucharow reached an agreement to settle for \$117.5 million, which is currently the largest settlement agreement to date in an options backdating case. The allegations in *Mercury* concern backdated option grants used to compensate employees and officers of the Company. Mercury's former CEO, CFO, and General Counsel actively participated in and benefited from the options backdating scheme, which came at the expense of Mercury shareholders and the investing public. The settlement is subject to Court approval.
- In ***In re American Tower Corporation Securities Litigation***, Civ. No. 06 CV 10933 (MLW) (D. Mass.), Labaton Sucharow represented the Steamship Trade Association-International Longshoreman's Association Pension Fund (STA-ILA)

in claims alleging that certain of American Tower Corporation's current and former officers and directors improperly backdated the Company's stock option grants and made materially false and misleading statements to the public concerning the Company's financial results and option grant policies and accounting, causing damages to investors. On December 14, 2007, Labaton Sucharow reached an agreement to settle for \$14 million.

- Labaton Sucharow serves as Lead Counsel in *In re HCC Insurance Holdings, Inc. Securities Litigation*, Civ. No. 4:07-cv-801 (S.D. Tex.), a case alleging that certain of HCC's current and former officers and directors improperly backdated the Company's stock option grants and made materially false and misleading statements to the public concerning the Company's financial results and option grant policies and accounting, causing damages to investors. On February 11, 2008, Labaton Sucharow reached an agreement to settle for \$10 million.

Among the institutional investor clients Labaton Sucharow represents and advises are:

Academy Capital Management
Arkansas Carpenters Pension Fund
Asbestos Workers Local 24
Baltimore County Retirement System
State-Boston Retirement System
California Public Employees' Retirement System
Central Laborers' Pension Fund
Connecticut Retirement Plans and Trust Funds
Genesse County Employees' Retirement System
Iron Workers Local 16
Town of Jupiter Police Officer's Retirement Fund
Lawndale Capital Management

LongView Collective Investment Fund of the Amalgamated Bank
City of Macon
Commonwealth of Massachusetts Pension Reserves Investment Trust
Metropolitan Atlanta Rapid Transit Authority
Michigan Retirement Systems
Mississippi Public Employees' Retirement System
Division of Investment of the New Jersey Department of the Treasury
Office of the New Mexico Attorney General and several of its Retirement Systems
City of New Orleans Employees' Retirement System
Norfolk County Retirement System
Office of the Ohio Attorney General and several of its Retirement Systems
Pirate Capital LLC
Robino Stortini Holdings LLC
San Francisco Employees' Retirement System
St. Denis J. Villere & Co.
Steamship Trade Association/International Longshoremen's Association
SunTrust Banks, Inc.

COMMENTS ABOUT OUR FIRM BY THE COURTS

Many federal judges have commented favorably on the Firm's expertise and results achieved in securities class action litigation. Judge John E. Sprizzo complimented the Firm's work in *In re Revlon Pension Plan Litigation*, Civ. No. 91-4996 (JES) (S.D.N.Y.). In granting final approval to the settlement, Judge Sprizzo stated that "[t]he recovery is all they could have gotten if they had been successful. I have probably never seen a better result for the class than you have gotten here."

Labaton Sucharow was a member of the Executive Committee of Plaintiffs' Counsel in *In re PaineWebber Limited Partnerships Litigation*, Master File No. 94 Civ. 8547 (SHS). In

approving a class-wide settlement valued at \$200 million, Judge Sidney H. Stein of the Southern District of New York stated:

The Court, having had the opportunity to observe first hand the quality of Class Counsel's representation during this litigation, finds that Class Counsel's representation of the Class has been of high caliber in conferences, in oral arguments and in work product.

Judge Lechner, presiding over the \$15 million settlement in *In re Computron Software Inc. Securities Class Action Litigation*, Civ. No. 96-1911 (AJL) (D.N.J.), where Labaton Sucharow served as Co-Lead Counsel, commented that

I think it's a terrific effort in all of the parties involved . . . , and the co-lead firms . . . I think just did a terrific job.

You [co-lead counsel and] Mr. Plasse, just did terrific work in the case, in putting it all together

In *Middlesex County Retirement System v. Monster Worldwide, Inc.*, No. 07-cv-2237 (S.D.N.Y.), Judge Rakoff appointed Labaton Sucharow as lead counsel, stating that "the Labaton firm is very well known to courts for the excellence of its representation."

PRO BONO ACTIVITIES

Our attorneys devote substantial time to *pro bono* activities. Many of our attorneys participated in the Election Protection Program sponsored in 2004 by the Lawyers Committee for Civil Rights Under the Law to ensure that every voter could vote and every vote would count. In addition, the Firm's attorneys devote their time to *pro bono* activities in the fields of the arts, foundations, education, and health and welfare issues.

ATTORNEYS

Among the attorneys at Labaton Sucharow who are involved in the prosecution of securities actions are partners Edward Labaton, Lawrence A. Sucharow, Mark S. Arisohn, Eric J. Belfi, Joel H. Bernstein, Thomas A. Dubbs, Louis Gottlieb, James W. Johnson, Christopher J. Keller, Christopher J. McDonald, Jonathan M. Plasse, Hollis L. Salzman, Ira A. Schochet, Joseph V. Sternberg; of counsel attorneys Martis Alex, Jonathan Gardner, David J. Goldsmith, Anthony J. Harwood, Richard T. Joffe, Zachary M. Ratzman, and Nicole M. Zeiss; and associates Kelso Anderson, Aya Bouchédid, Javier Bleichmar, Peter W. Brueggen, Donald P. Delaney, Alan I. Ellman, Joseph A. Fonti, Ann E. Gittleman, Julie Hwang, Renu Kripalani, Craig A. Martin, Barry M. Okun, Andrei V. Rado, Serena Richardson, Michael H. Rogers, Krista Rosen, Michael W. Stocker, Stefanie J. Sundel, Stephen W. Tountas, and Ethan D. Wohl. A short description of the qualifications and accomplishments of each follows.

EDWARD LABATON, PARTNER

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An accomplished trial lawyer and Senior Partner with the Firm, Edward Labaton has devoted his 50 years of practice to representing a full range of clients in class action and complex litigation matters in state and federal court. Mr. Labaton has played a lead role as plaintiffs' class counsel in a number of successfully prosecuted high profile cases, involving companies such as PepsiCo, Dun & Bradstreet, Financial Corporation of America, ZZZZ Best, Revlon, GAF Co., American Brands, Petro Lewis and Jim Walter, as well as several Big Eight (now Four) accounting firms. He has also argued appeals in state and federal courts, achieving results with important precedential value.

Mr. Labaton has been President of the Institute for Law and Economic Policy since its founding in 1996. The Institute co-sponsors at least one annual symposium with a major law

school dealing with issues relating to the civil justice system. He is also a member of the Advisory Committee of the Weinberg Center for Corporate Governance of the University of Delaware, a Director of the Lawyers' Committee for Civil Rights under Law, a member of the American Law Institute, and a life member of the ABA Foundation. In addition, Mr. Labaton has served on the Executive Committee and has been an officer of the Ovarian Cancer Research Fund since its inception in 1996.

Mr. Labaton is the past Chairman of the Federal Courts Committee of the New York County Lawyers Association, and was a member of the Board of Directors of that organization. He is an active member of the Association of the Bar of the City of New York, where he was Chair of the Senior Lawyers' Committee and served on its Task Force on the Role of Lawyers in Corporate Governance. He has also served on its Federal Courts, Federal Legislation, Securities Regulation, International Human Rights and Corporation Law Committees. He also served as Chair of the Legal Referral Service Committee, a joint committee of the New York County Lawyers' Association and the Association of the Bar of the City of New York. He has been an active member of the American Bar Association, the Federal Bar Council and the New York State Bar Association, where he has served as a member of the House of Delegates.

For more than 30 years, he has lectured in the areas of federal civil litigation, securities litigation and corporate governance. Mr. Labaton graduated *cum laude* with a B.B.A. from Baruch College, City College of New York in 1952 and earned his LL.B. from Yale University in 1955. He is admitted to practice in New York and the United States Supreme Court.

LAWRENCE A. SUCHAROW, CHAIRMAN

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Lawrence A. Sucharow, a nationally recognized leader of the securities class action bar, is the Chairman of Labaton Sucharow. In this capacity, he participates in developing the

litigation and settlement strategies for virtually all of the class action cases Labaton Sucharow prosecutes.

For more than three decades, Mr. Sucharow has devoted his practice to counseling clients and prosecuting cases on complex issues involving securities, antitrust, business transaction, product liability, and other class actions. Mr. Sucharow has successfully recovered more than \$1 billion on behalf of institutional investors such as state, city, county and union pension funds, shareholders of public companies, bondholders, purchasers of limited partnership interests, purchasers of consumer products and individual investors.

Mr. Sucharow recently obtained \$225 million in savings for the class of *In re CNL Resorts, Inc. Securities Litigation*. In other recently settled actions, Mr. Sucharow undertook a lead role in obtaining benefits for class members of \$200 million (*In re Paine Webber Incorporated Limited Partnerships Litigation*); \$110 million partial settlement (*In re Prudential Securities Incorporated Limited Partnerships Litigation*); \$91 million (*In re Prudential Bache Energy Income Partnerships Securities Litigation*); and more than \$92 million (*Shea v. New York Life Insurance Company*). In approving the *Prudential* settlement, Judge Milton Pollack referred to the efforts of plaintiffs' counsel as "Herculean," stating: "...this case represents a unique recovery – a recovery that does honor to every one of the lawyers on your side of the case."

In addition, in 2002 Mr. Sucharow served as Co-Trial Counsel in a six-week trial of a federal securities law claim on behalf of 18,000 passive investors in the Real Estate Associates limited partnerships. That trial resulted in an unprecedented \$182 million jury verdict.

Mr. Sucharow is a member of the Federal Bar Council's Committee on Second Circuit Courts, and the Federal Courts Committee of the New York County Lawyers' Association. He is also a member of the Securities Law Committee of the New Jersey State Bar Association and

was the founding chairman of the Class Action Committee of the Commercial and Federal Litigation Section of the New York State Bar Association from 1988-1994. He was honored by his peers by his election to serve as President of the National Association of Shareholder and Consumer Attorneys (NASCAT), a membership organization of approximately 100 law firms which practice complex civil litigation including class actions.

Mr. Sucharow earned a B.B.A., *cum laude*, from Baruch School of the City College of the City University of New York in 1971 and a J.D., *cum laude*, from Brooklyn Law School in 1975.

Mr. Sucharow is admitted to practice in New York and New Jersey and the United States Supreme Court.

MARK S. ARISOHN, PARTNER

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Mark S. Arisohn focuses his practice on securities class action litigation.

For the past 33 years, Mr. Arisohn specialized in complex criminal and civil litigation with an emphasis on white collar criminal matters. He has appeared in the state and federal courts nationwide, and appeared before the United States Supreme Court in the landmark insider trading case of *Chiarella v. United States*.

Mr. Arisohn brings his extensive trial experience to the prosecution of securities class actions. He has defended individuals and corporations accused of bank fraud, mail and wire fraud, securities fraud and RICO violations. He has represented public officials, individuals and companies in the construction and securities industries as well as professionals accused of regulatory offenses and professional misconduct. He also has appeared as trial counsel for both plaintiffs and defendants in civil fraud matters and corporate and business commercial matters,

including shareholder litigation, breach of contract claims, and cases involving such business torts as unfair competition and misappropriation of trade secrets.

A prominent trial lawyer, Mr. Arisohn has also authored numerous articles including “Electronic Eavesdropping,” *New York Criminal Practice*, LEXIS - Matthew Bender, 2005; “Criminal Evidence,” *New York Criminal Practice*, Matthew Bender, 1986; and “Evidence,” *New York Criminal Practice*, Matthew Bender, 1987. He was a contributing author of *Business Crime*, Matthew Bender, 1981.

Mr. Arisohn is an active member of the Association of the Bar of the City of New York and has served on its Judiciary Committee, the Committee on Criminal Courts, Law and Procedure, the Committee on Superior Courts and the Committee on Professional Discipline. He serves as a mediator for the Complaint Mediation Panel of the Association of the Bar of the City of New York and as a hearing examiner for the New York State Commission on Judicial Conduct.

He earned his B.S. and M.S. degrees from Cornell University in 1968 and 1969 and received his J.D. from Columbia University School of Law in 1972.

Mr. Arisohn is admitted to practice in New York and the District of Columbia as well as the following federal courts: the United States Supreme Court; the United States Court of Appeals for the Second Circuit; and the United States District Courts for the Southern, Eastern and Northern Districts of New York; the Northern District of Texas; and the Northern District of California.

ERIC J. BELFI, PARTNER

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Eric J. Belfi, a partner in the New York office of Labaton Sucharow, is an accomplished litigator in a broad range of commercial matters. He concentrates his practice in the

investigation and initiation of securities and shareholder class actions, with an emphasis on the representation of major international and domestic pension funds and other institutional investors.

Prior to entering private practice, Mr. Belfi served as an Assistant Attorney General for the State of New York and an Assistant District Attorney for the County of Westchester. As a prosecutor, Mr. Belfi investigated and prosecuted numerous white-collar criminal cases, including securities law violations. In this capacity, he presented hundreds of cases to the grand jury and obtained numerous felony convictions after jury trials.

Mr. Belfi is a regular speaker and author on issues involving shareholder litigation, particularly as it relates to international institutional investors. He recently co-authored “The Proportionate Trading Model: Real Science or Junk Science?” 52 *Cleveland St. L. Rev.* 391 (2004-05) and “International Strategic Partnerships to Prosecute Securities Class Actions, Investment & Pensions Europe.” In 2005, he was a panelist at a program on U.S. class actions in Vicenza, Italy. Mr. Belfi has given presentations on the topics of investors’ rights and U.S. class actions in Milan, Italy in May of 2006 and April of 2007, respectively.

He received a B.A. from Georgetown University in 1992 and a J.D. from St. John’s University School of Law in 1995. Mr. Belfi is an associate prosecutor for the Village of New Hyde Park, and is also a member of the Federal Bar Council and the Association of the Bar of the City of New York.

Mr. Belfi is admitted to practice in the State of New York as well as the United States District Courts for the Southern and Eastern Districts of New York, the Eastern District of Michigan, the District of Colorado, and the District of Nebraska.

JOEL H. BERNSTEIN, SENIOR PARTNER

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With more than 30 years' experience in the area of complex litigation, Joel H. Bernstein concentrates his practice in the protection of investors who have been victimized by securities fraud and breach of fiduciary duty. His expertise in the area of shareholder litigation has resulted in the recovery of hundred of millions of dollars in damages to wronged investors.

Mr. Bernstein advises numerous large public pension funds, hedge funds, other institutional investors and individual investors with respect to securities litigation in the federal and state courts as well as in arbitration proceedings before the New York Stock Exchange, the National Association of Securities Dealers and other self-regulatory organizations.

Mr. Bernstein has played a central role in numerous high profile cases, including *In re Paine Webber Incorporated Limited Partnerships Litigation*, \$200 million settlement; *In re Prudential Securities Incorporated Limited Partnerships Litigation*, \$130 million settlement; *In re Prudential Bache Energy Income Partnerships Securities Litigation*, \$91 million settlement; *Shea v. New York Life Insurance Company*, \$92 million settlement; and, *Saunders et al. v. Gardner*, \$10 million -- then the largest punitive damage award in the history of the NASD. Most recently, Mr. Bernstein was instrumental in securing a \$117.5 million settlement in *In Re Mercury Interactive Securities Litigation*, which as of October 2007 was the largest settlement agreement to date in an options-backdating case.

A leading figure in his area of practice, Mr. Bernstein is frequently sought out by the press to comment on securities law and also has authored numerous articles on related issues, including "Stand Up to Your Stockbroker, Your Rights As An Investor." He is a member of the American Bar Association and the New York County Lawyers' Association.

Mr. Bernstein earned a J.D. from Brooklyn Law School in 1975 and received his undergraduate degree from Queens College in 1971.

He is admitted to practice in New York and the following federal courts: the United States Court of Appeals for the Second Circuit, the United States Court of Appeals for the Third Circuit, and the United States District Court for the Southern and Eastern Districts of New York.

THOMAS A. DUBBS, SENIOR PARTNER

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Thomas A. Dubbs specializes in the representation of institutional investors including pension funds in securities fraud and other types of litigation. A recognized leader in the field, Mr. Dubbs represented the first major private institutional investor to become a lead plaintiff in a class action under the Private Securities Litigation Reform Act.

Mr. Dubbs currently serves as Lead Counsel in the federal securities fraud class actions brought against AIG on behalf of Lead Plaintiff Ohio (comprised of several of Ohio's retirement systems) as well as Lead Counsel for the class and Lead Plaintiff New Mexico (comprised of several of New Mexico's retirement systems) in the securities class actions against St. Paul Travelers Companies, Inc. in relation to the merger between The St. Paul Companies and Travelers Property Casualty Corporation.

A Labaton Sucharow team led by Mr. Dubbs successfully litigated a class action against Bristol-Myers Squibb, which resulted in a settlement of \$185 million and major corporate governance reforms.

Mr. Dubbs also led the team of Labaton Sucharow attorneys that represented the Lead Plaintiff, the Florida State Board of Administrators, in the *Vesta Insurance Group* class action. To date, settlements with the Company and its auditor, KPMG, total more than \$79 million, which represents more than 37% of the damages sustained by the class.

Most recently, Mr. Dubbs leads the team prosecuting the *In re HealthSouth Securities Litigation* on behalf of the New Mexico State Investment Council, the Educational Retirement

Board of New Mexico, and the Michigan Pension Funds, the Court appointed Co-Lead Plaintiffs for stockholders of HealthSouth Corporation. Mr. Dubbs secured a partial settlement of \$445 million from HealthSouth over the massive fraud that led to the healthcare provider's collapse and conviction of numerous former employees.

Prior to joining Labaton Sucharow, Mr. Dubbs was Senior Vice President & Senior Litigation Counsel for Kidder, Peabody & Co. where he represented the firm in many class actions, including the *First Executive* and *Orange County* litigations. Before joining Kidder, Mr. Dubbs was head of the litigation department at Hall, McNicol, Hamilton & Clark, where he was the principal partner representing Thomson McKinnon Securities Inc. in litigation matters including class actions such as the *Petro Lewis* and *Baldwin United* litigations.

He frequently lectures to institutional investors and other groups such as the Government Finance Officers Association, the National Conference on Public Employee Retirement Systems and the Council of Institutional Investors. Most recently, he spoke at the Ohio Forum on Public Retirement.

Mr. Dubbs received a B.A. and a J.D. from the University of Wisconsin in 1969 and 1974, respectively. In 1971, he earned an M.A. from the Fletcher School of Law and Diplomacy of Tufts University. Mr. Dubbs is a member of the New York State Bar Association and the Association of the Bar of the City of New York. He is admitted to practice in New York.

LOUIS GOTTLIEB, PARTNER

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Lou Gottlieb has successfully represented institutional and individual investors in numerous securities and consumer class action cases, resulting in cumulative settlements well in excess of \$500 million.

Mr. Gottlieb was an integral part of the Firm's representation of the Connecticut Retirement Plans and Trust Funds in *In re Waste Management, Inc. Securities Litigation*, which resulted in a \$457 million settlement, one of the largest settlements ever achieved in a securities class action. The settlement also included corporate governance enhancements, including an agreement by management to support a campaign to obtain shareholder approval of a resolution to declassify its board of directors, and a resolution to encourage and safeguard whistleblowers among the company's employees.

Mr. Gottlieb has led litigation teams in the Metromedia Fiber Networks, Maxim Pharmaceuticals, and PriceSmart securities fraud class action litigations as well as a consumer breach of contract class action against New York Life Annuities. He is also helping to lead major class action cases against AIG and related defendants in *In re American International Group Inc. Securities Litigation*, as well as against the company, its top officers and its outside auditor in *In re Mercury Interactive Corp. Securities Litigation*.

Mr. Gottlieb has made presentations on punitive damages at Federal Bar Association meetings and has often spoken on securities class actions for institutional investors.

Mr. Gottlieb graduated first in his class from St. John's School of Law in 1990. Prior to joining Labaton Sucharow, he clerked for the Hon. Leonard B. Wexler of the Eastern District of New York, and he was a litigation associate with Skadden Arps Slate Meagher & Flom.

Mr. Gottlieb is admitted in New York and Connecticut as well as before the United States Court of Appeals for the Fifth Circuit and the United States District Courts for the Southern and Eastern Districts of New York.

JAMES W. JOHNSON, PARTNER

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James W. Johnson specializes in complex litigation, with primary emphasis on class actions involving securities fraud.

Mr. Johnson has successfully litigated a number of high profile securities and RICO class actions, including: *In re Bristol-Myers Squibb Co. Securities Litigation*, in which the Court, after approving a settlement of \$185 million coupled with significant corporate governance reforms, recognized Plaintiff's counsel as "extremely skilled and efficient"; *In re HealthSouth Corp. Securities Litigation*, which resulted in a partial settlement of \$445 million; *In re Vesta Insurance Group, Inc. Securities Litigation*, which resulted in a partial recovery of \$78 million for the Plaintiff class; and *Murphy v. Perelman*, which, along with a companion federal action, *In re National Health Laboratories, Inc. Securities Litigation*, brought by Co-Counsel, resulted in a recovery of \$80 million. In *County of Suffolk v. Long Island Lightning Co.*, Mr. Johnson represented the Plaintiff in a RICO class action, securing a jury verdict after a two-month trial, which resulted in a \$400 million settlement. The Second Circuit, in awarding attorneys' fees to Plaintiff, quoted the trial judge, Honorable Jack B. Weinstein, as stating "counsel [has] done a superb job [and] tried this case as well as I have ever seen any case tried."

Mr. Johnson also assisted in prosecuting environmental damage claims on behalf of Native Americans resulting from the Exxon Valdez oil spill.

Mr. Johnson is the co-author of "RICO: Judiciary Devises New Theories In Effort To Dismiss Civil Suits," *The National Law Journal*, Feb. 12, 1990, and "Special Trial Issues In RICO Actions," *Civil RICO 1989*, Practising Law Institute 1989. He is a member of the American Bar Association and the Association of the Bar of the City of New York, where he served on the Federal Courts Committee.

Mr. Johnson received a B.A. from Fairfield University in 1977 and a J.D. from New York University School of Law in 1980, where he was the recipient of the Ann Petluck Poses Memorial Award.

CHRISTOPHER J. KELLER, PARTNER

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Christopher J. Keller concentrates his practice in sophisticated securities class action litigation in federal courts throughout the country. Mr. Keller was a member of the trial team that successfully litigated the *In re Real Estate Associates Limited Partnership Litigation* in the United States District Court for the Central District of California. The six-week jury trial resulted in a landmark \$184 million plaintiffs' verdict, which is one of the largest jury verdicts since the passage of the Private Securities Litigation Reform Act of 1995.

Mr. Keller is very active in investigating and initiating securities and shareholder class actions. He also concentrates his efforts on educating institutional investors on developing trends in the law and new case theories. Mr. Keller is a regular speaker at institutional investor gatherings as well as a frequent speaker at continuing legal education seminars relating to securities class action litigation.

Mr. Keller is the co-author of an article entitled "Tellabs: PSLRA Pleading Test Comparative, Not Absolute," *New York Law Journal*, October 3, 2007.

Mr. Keller received a B.S. from Adelphi University in 1993 and a J.D. from St. John's University School of Law in 1997. He is admitted to practice in New York and the United States District Courts for the Southern and Eastern Districts of New York. He is a member of several professional groups, including the New York State Bar Association and the New York County Lawyers' Association.

CHRISTOPHER J. McDONALD, PARTNER

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Christopher J. McDonald, a member of the Firm's Antitrust Practice Group, represents businesses, associations and individuals injured by anticompetitive activities. Mr. McDonald's practice also involves representing institutional investors in securities fraud cases.

Mr. McDonald was part of the team that successfully litigated *In re Bristol-Myers Squibb Securities Litigation*, in which Labaton Sucharow secured a \$185 million settlement on behalf of Bristol-Myers Squibb shareholders, as well as meaningful corporate governance reforms. He has also worked on *In re Natural Gas Commodity Litigation*, a still active case that to date has generated almost \$73 million in settlement funds for a class of traders who purchased, sold or settled New York Mercantile Exchange contracts.

In an ongoing case, *In re TriCor Indirect Purchaser Antitrust Litigation*, Mr. McDonald represents end-payors of the prescription drug TriCor (e.g., union health and welfare funds and consumers), who claim that the drug's manufacturer and U.S. marketer unlawfully impeded the introduction of lower-priced generic alternatives to TriCor. Other cases in which Mr. McDonald is currently involved include the *Air Cargo Shipping Services* and *Foundry Resins* antitrust cases.

A litigator for most of his career, Mr. McDonald also has in-house and regulatory experience. As a senior attorney with a telecommunications company he regularly addressed legal, economic and public policy issues before state public utility commissions.

Mr. McDonald received his undergraduate degree, *cum laude*, from Manhattan College in 1985 and a J.D. from Fordham University School of Law in 1992, where he was on the Law Review.

Mr. McDonald is admitted to practice in New York and before the United States Court of Appeals for the Second Circuit and the United States District Courts for the Southern and Eastern Districts of New York.

JONATHAN M. PLASSE, SENIOR PARTNER

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An accomplished litigator, Jonathan M. Plasse has devoted over 25 years of his practice to the prosecution of complex cases involving securities class action, derivative, transactional, and consumer litigation. His recent successes include serving as Co-Lead Counsel, where a \$285 million settlement was just recently announced in the securities class action, *In re El Paso Corporation Securities Litigation*, and as Lead Counsel in *In re Waste Management Inc. Securities Litigation*, where he represented the Connecticut Retirement Plans and Trusts Funds, and obtained a settlement of \$457 million. He also served as Lead Counsel in *Orbital Sciences Corporation Securities Litigation*, where he represented the New York City Pension Funds and secured a \$23.5 million settlement on the eve of trial. Currently, Mr. Plasse is prosecuting securities cases against Countrywide Financial Corporation, General Motors Corp., IBM and Take-Two Interactive.

Mr. Plasse is a member of the New York State Bar Association and the Association of the Bar of the City of New York. He is admitted to practice in New York.

Mr. Plasse received a B.A. degree, *magna cum laude*, from the State University of New York in Binghamton in 1972. He received a J.D. from Brooklyn Law School in 1976, where he served as a member of the *Brooklyn Journal of International Law*.

HOLLIS L. SALZMAN, PARTNER

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Hollis L. Salzman is a partner in the Firm's Antitrust Practice Group. She represents businesses and consumers in cases involving federal and state antitrust law violations. She is

also involved in the Firm's securities litigation practice group where she represents institutional investors in portfolio monitoring and securities litigation. Some of Ms. Salzman's clients include MARTA and the City of Macon, Georgia.

Ms. Salzman is actively engaged in the prosecution of major antitrust class actions pending throughout the United States. She is presently Co-Lead Counsel in many antitrust cases, including *In re Abbott Labs Norvir Antitrust Litigation* which is set for trial in June 2008, *In re OxyContin Antitrust Litigation*, *In re Air Cargo Shipping Services Antitrust Litigation* and *Plavix Antitrust Litigation*. She is also actively involved in other pending major antitrust litigations, including *In re Funeral Antitrust Litigation*, *In re Pineapple Antitrust Litigation*, *In re New Motor Vehicles Canadian Export Antitrust Litigation*, *In re Marine Hoses Antitrust Litigation* and *In re Live Rock Concert Antitrust Litigation*.

She also served as Co-Lead Counsel in several antitrust class actions which resulted in extraordinary settlements for consumers and third-party payors: *In re Buspirone Antitrust Litigation* (\$90 million settlement); *In re Lorazepam & Clorazepate Antitrust Litigation* (\$135.4 million on behalf of third-party payors, and \$100 million on behalf of consumers in conjunction with the Federal Trade Commission and State Attorneys General actions); also *In re Maltol Antitrust Litigation*, and *Continental Seasonings Inc. v. Pfizer, Inc., et al.*, (\$18.45 million on behalf of direct purchasers of chemical food additives). Additionally, she was principally responsible for administering a \$65 million settlement with certain brand-name prescription drug manufacturers where their conduct allegedly caused retail pharmacy customers to overpay for their prescription drugs.

Ms. Salzman is a Co-Chair of the New York State Bar Association, Commercial & Federal Litigation Section — Antitrust Committee and is co-author of an article entitled "The

State of State Antitrust Enforcement,” NYSBA *NYLitigator*, Winter 2003, Vol. 8, No. 1. She is also a member of the Association of the Bar of the City of New York Antitrust Committee and Women’s Antitrust Bar Association. Ms. Salzman also provides *pro bono* representation to indigent and working-poor women in matrimonial and family law matters.

Ms. Salzman earned a B.A. from Boston University in 1987 and a J.D. from Nova University School of Law in 1992. She is admitted to practice in New York, New Jersey and Florida as well as before the United States District Courts for the Southern and Middle Districts of Florida; the United States District Courts for the Southern and Eastern Districts of New York; and the United States Court of Appeals for the Eleventh Circuit.

IRA A. SCHOCHET, PARTNER

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Ira A. Schochet has 15 years’ experience in commercial litigation, with primary emphasis on class actions involving securities fraud.

Mr. Schochet has played a leading role in litigation resulting in multimillion-dollar recoveries for class members in cases against Caterpillar, Inc., Spectrum Information Technologies, Inc. and InterMune, Inc. In *Kamarasy v. Coopers & Lybrand*, a securities fraud class action, Mr. Schochet led a team that won a settlement equal to approximately 75% of the highest possible damages that class members could have recovered. The Court in that case complimented him for “the superior quality of the representation provided to the class.”

Mr. Schochet represented one of the first institutional investors acting as a Lead Plaintiff in a post-Private Securities Litigation Reform Act case, *STI Classic Funds v. Bollinger, Inc.*, and obtained one of the first favorable rulings interpreting that statute’s intent provision.

Most recently, Mr. Schochet negotiated a settlement on behalf of investors in the *InterMune* litigation. In approving the settlement, the Court complimented Mr. Schochet’s

ability to obtain a significant cash benefit for the class in a very efficient manner, saving the class from additional years of time, expense and substantial risk.

Since 1996, Mr. Schochet has acted as chairman of the Class Action Committee of the Commercial and Federal Litigation Section of the New York State Bar Association. In that capacity, he has served on the Executive Committee of the Section and was the primary author of articles and reports on a wide variety of issues relating to class action procedure. Such issues include revisions to that procedure proposed over the years by both houses of the United States Congress and the Advisory Committee on Civil Procedure of the United States Judicial Conference. Examples include “Proposed Changes in Federal Class Action Procedure, Opting Out On Opting In,” and “The Interstate Class Action Jurisdiction Act of 1999.” He also has lectured extensively on securities litigation at continuing legal education seminars.

Mr. Schochet earned a J.D. from Duke University School of Law in 1981 and received a B.A., *summa cum laude*, from the State University of New York at Binghamton in 1977. He is admitted to practice in New York, before the United States District Courts for the Southern and Eastern Districts of New York and the United States Court of Appeals for the Second Circuit.

JOSEPH V. STERNBERG, PARTNER

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Joseph V. Sternberg is a trial and appellate lawyer with more than 35 years of experience in the areas of civil and class action litigation. He has prosecuted cases that have resulted in the return of hundreds of millions of dollars to class members. Among the numerous landmark cases in which Mr. Sternberg has participated are *Limmer v. Medallion Group, Inc.*, *Koppel v. Wien, In re Energy Systems Equipment Leasing Securities Litigation*, *Koppel v. 4987 Corp.*, *Gunter v. Ridgewood Energy Corp.*, and *In re Real Estate Associates Limited Partnership Litigation*.

Mr. Sternberg authored “Using and Protecting Against Rule 12(b) and 9(b) Motions,” *The Practical Litigator*, September 1993.

Mr. Sternberg earned a B.A. from Hofstra University in 1963 and a J.D. from New York University School of Law in 1966. He is admitted to practice in New York, before the United States District Courts for the Southern and Eastern Districts of New York, and before the United States Courts of Appeals for the Second and Third Circuit. He has received a rating of AV from the publishers of the Martindale-Hubble Directory.

MARTIS ALEX, OF COUNSEL

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Martis Alex concentrates her practice on prosecuting complex securities fraud cases on behalf of institutional investors. She was a partner at Labaton Sucharow for more than 15 years, and Chair of the Firm’s Mass Tort Litigation practice group. Ms. Alex has extensive experience managing complex nationwide litigation, including securities class actions as well as product liability and consumer fraud litigation. She has successfully represented investors and consumers in cases that achieved cumulative recoveries of hundreds of millions of dollars for plaintiffs. After a brief retirement, Ms. Alex rejoined Labaton Sucharow in 2006 as Of Counsel.

Ms. Alex was an integral part of the team that successfully litigated *In re Bristol Myers Squibb Securities Litigation*, where Labaton Sucharow was able to secure a \$185 million settlement on behalf of investors, as well as meaningful corporate governance reforms that will affect future consumers and investors alike. She is currently litigating *In re American International Group, Inc. Securities Litigation*, a major securities class action brought by Lead Plaintiff Ohio (comprised of several of Ohio’s retirement systems). Ms. Alex was Lead Trial Counsel and Chair of the Executive Committee in *Zenith Laboratories Securities Litigation*, a federal securities fraud class action which settled during trial, and achieved a significant recovery

for investors. She also was Chair of the Plaintiffs' Steering Committee in *Napp Technologies Litigation*, where Labaton Sucharow won substantial recoveries for families and firefighters injured in a chemical plant explosion.

Ms. Alex served as Co-Lead Counsel or in a leadership role in several securities class actions that achieved substantial awards for investors, including *Cadence Design Securities Litigation*, *Halsey Drug Securities Litigation*, *Slavin v. Morgan Stanley*, *Lubliner v. Maxtor Corp.* and *Baden v. Northwestern Steel and Wire*. She also served on the Executive Committee or in other leadership roles in national product liability actions against the manufacturers of breast implants, orthopedic bone screws, and atrial pacemakers, and was a member of the Plaintiffs' Legal Committee in the national litigation against the tobacco companies.

Ms. Alex successfully tried more than 20 criminal jury trials as a former Assistant District Attorney in Sacramento, California. She is a frequent speaker at national conferences on product liability and securities fraud litigation, and is a recipient of the American College of Trial Lawyers' Award for Excellence in Advocacy.

Ms. Alex earned a J.D. from McGeorge Law School and a Masters Degree in Psychology from California State College. She is admitted to practice in New York and California and in Federal Courts in several jurisdictions.

JONATHAN GARDNER, OF COUNSEL

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Jonathan Gardner focuses his practice on securities class action litigation. Mr. Gardner currently represents the Successor Liquidating Trustee of Lipper Convertibles, a convertible bond hedge fund, in an action against the Fund's former independent auditor and a member of the Fund's general partner as well as numerous former limited partners who received excess

distributions. He has successfully recovered over \$2 million for the Successor Liquidating Trustee to date.

Recently Mr. Gardner has worked on a number of significant cases including *In re Mercury Interactive Corp. Securities Litigation*, *In re Just for Feet Securities Litigation*, *In re St. Paul Travelers Securities Litigation*, and *In re Escala Group, Inc. Securities Litigation*.

Mr. Gardner recently litigated claims of securities fraud, common law fraud, breach of contract, defamation, and civil RICO violations against CFI Mortgage Inc. and its principals in federal court. Following a five-day jury trial, Mr. Gardner secured a verdict of over \$50 million. In April 2005, he participated in the successful trial of a books and records action captioned *Forsythe, et. al. v. CIBC Private Equity Fund*.

For the past 15 years, Mr. Gardner was actively involved in litigating all aspects of commercial and business disputes from pre-dispute investigation and settlement to trials and appeals before state and federal courts, as well as arbitration and mediation forums.

Mr. Gardner earned a B.S.B.A. from American University in 1987 and a J.D. from St. John's University Law School in 1990. He is a member of the New York State Bar Association and the Association of the Bar of the City of New York.

Mr. Gardner is admitted to practice in New York and before the United States District Courts for the Southern and Eastern Districts of New York.

DAVID J. GOLDSMITH, OF COUNSEL

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David J. Goldsmith represents institutional and individual investors in securities fraud and corporate governance litigation, and has achieved substantial recoveries for the Firm's clients and certified investor classes.

Mr. Goldsmith has played a key role in many high-profile securities litigations, including a series of cases alleging that mutual funds sold by Van Kampen, Morgan Stanley and Eaton Vance defrauded investors by overpricing senior loan interests. Mr. Goldsmith was instrumental in obtaining a decision in one of these actions, excluding before trial certain opinions of a nationally recognized economist who regularly serves as a defense expert in such cases.

Mr. Goldsmith currently represents plaintiffs in numerous securities litigations, including an action brought on behalf of the Genesee County (Mich.) Employees' Retirement System as Lead Plaintiff against Transaction Systems Architects, Inc., premised on a restatement of previously reported financial results. Recently, Mr. Goldsmith assisted in achieving a substantial settlement in a securities class action against former officers and directors of Metromedia Fiber Network, Inc.

Mr. Goldsmith also assisted in the representation of a number of state pension funds as Lead Plaintiff in the *Waste Management* securities litigation. In 2002, the Court approved a settlement of \$457 million, the third-largest common fund settlement ever achieved up to that time. Mr. Goldsmith was a member of the Firm's Lead Counsel team representing several New York City pension funds in a class action against Orbital Sciences Corporation, which resulted in a \$22.5 million settlement on the eve of trial. In 2001, Mr. Goldsmith obtained one of the earliest decisions finding that a class action had been improperly removed under the Securities Litigation Uniform Standards Act of 1998.

Mr. Goldsmith frequently lectures on class actions and securities litigation for continuing legal education programs and investment symposia. He is a member of the American Bar Association, the New York State Bar Association, the Association of the Bar of the City of New York, and New York County Lawyers' Association.

Mr. Goldsmith earned B.A. and M.A. degrees from the University of Pennsylvania. He received a J.D. from the Benjamin N. Cardozo School of Law, where he was managing editor of the *Cardozo Arts & Entertainment Law Journal*. During law school, Mr. Goldsmith served as a judicial intern to the Honorable Michael B. Mukasey, United States District Judge for the Southern District of New York.

He is admitted to practice in New York and New Jersey and before the following federal courts: the United States Courts of Appeals for the First, Second, Fifth and Eighth Circuits; the United States District Court for the District of New Jersey; and the United States District Courts for the Southern and Eastern Districts of New York.

ANTHONY J. HARWOOD, OF COUNSEL

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Tony Harwood is an accomplished trial lawyer focusing on class action litigation on behalf of investors and consumers who have been injured by violations of federal securities and antitrust laws. He also has significant experience in white-collar criminal defense and disputes involving intellectual property.

Mr. Harwood's white-collar criminal defense practice has involved several high profile investigations, including Enron's accounting fraud, market timing in the mutual fund industry and public corruption. He has represented clients in federal and state criminal matters and in securities fraud matters before the Securities and Exchange Commission.

Mr. Harwood is a frequent author and presenter on such topics as securities and trademark litigation, alternative dispute resolution and international litigation.

Mr. Harwood is a member of the New York State Bar Association, where he serves on the Executive Committee of the Litigation Section as co-chair of the Committee on Ethics and Professionalism, and is a member of the Securities Litigation Committee. He is also a member

of the American Bar Association, where he has served as the vice-chair of the Membership Committee for the Section of International Law and Practice, the chair of the International Law Committee of the Young Lawyers Division and on the Executive Committee of the Young Lawyers Division.

Mr. Harwood earned a B.A. from Cornell University in 1983 and a J.D. from Fordham University in 1987, where he was a member of the *Law Review*. From 1987 to 1988, he served as a law clerk to the Honorable William C. Conner, U.S. District Judge, Southern District of New York.

Mr. Harwood is admitted to practice in New York, the U.S. Courts of Appeals for the Second, Fifth and Federal Circuits, and the U.S. District Courts for the Southern and Eastern Districts of New York.

RICHARD T. JOFFE, OF COUNSEL

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Richard Joffe's practice focuses on class action litigation, including securities fraud, antitrust and consumer fraud cases. Since joining the Firm, Mr. Joffe has represented such varied clients as institutional purchasers of corporate bonds, Wisconsin dairy farmers, and consumers who alleged they were defrauded when they purchased annuities.

Prior to joining Labaton Sucharow, Mr. Joffe was an associate at Gibson, Dunn & Crutcher LLP, where he played a key role in obtaining a dismissal of claims against Merrill Lynch & Co. and a dozen other of America's largest investment banks and brokerage firms, who, in *Friedman v. Salomon/Smith Barney, Inc.*, were alleged to have conspired to fix the prices of initial public offerings.

Mr. Joffe also worked as an associate at Fried, Frank, Harris, Shriver & Jacobson where he defended Goldman Sachs & Co. against allegations of securities fraud and professional

negligence. In addition, he obtained a successful settlement for several older women who alleged they were victims of age and sex discrimination when they were selected for termination by New York City's Health and Hospitals Corporation during a citywide reduction in force.

He co-authored "Protection Against Contribution and Indemnification Claims in Settlement Agreements in Commercial Disputes" (Aspen Law & Business, 2000). He is admitted to practice in New York and is a member of the Association of the Bar of the City of New York and the American Bar Association.

Mr. Joffe received a J.D. from Columbia Law School in 1993. He earned a Ph.D. from Harvard University in 1984. He earned a B.A., *summa cum laude*, from Columbia University in 1972.

Long before becoming a lawyer, Mr. Joffe was a founding member of the internationally famous rock and roll group, Sha Na Na.

ZACHARY M. RATZMAN, OF COUNSEL

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Zachary M. Ratzman concentrates his practice in the area of securities fraud litigation. Since early 2005, he has litigated the case *In re American International Group, Inc. Securities Litigation*, on behalf of three Ohio pension funds and a class of defrauded investors, and has played key roles in other noteworthy actions, including *In re Bristol-Myers Squibb Securities Litigation*.

Prior to joining Labaton Sucharow, Mr. Ratzman practiced white-collar criminal defense and complex commercial litigation as an associate in the New York offices of Skadden Arps Slate Meagher & Flom LLP and Patterson Belknap Webb & Tyler LLP. Prior to that, he served as a law clerk to the Honorable Harold Baer, Jr., U.S. District Judge in the U.S. District Court for the Southern District of New York.

Mr. Ratzman maintains a strong commitment to *pro bono* work. He served as a non-partisan election monitor in Cleveland, Ohio during the 2004 presidential election, and has represented indigent criminal defendants throughout the appellate process in the New York state courts.

Mr. Ratzman received a B.A. from Ohio University, where he graduated *summa cum laude* and with Phi Beta Kappa honors. He earned a J.D. from the University of Michigan Law School, where he graduated *magna cum laude* and as a member of the Order of the Coif. While in law school, he was co-chair of the local chapter of the National Lawyers Guild and served as a teaching assistant in the University's Department of Communications Studies.

Mr. Ratzman is admitted to practice in New York and before the United States District Courts for the Southern and Eastern Districts of New York.

NICOLE M. ZEISS, OF COUNSEL

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Nicole M. Zeiss works principally in the area of securities class action litigation. Before joining Labaton Sucharow, Ms. Zeiss worked for MFY Legal Services, practicing in the area of poverty law and at Gaynor & Bass doing general complex civil litigation, particularly representing the rights of freelance writers seeking copyright enforcement.

Ms. Zeiss was part of the team that successfully litigated *In re Bristol-Myers Squibb Securities Litigation*. Labaton Sucharow was able to secure a \$185 million settlement on behalf of investors, as well as meaningful corporate governance reforms that will affect future consumers and investors alike. She has also litigated on behalf of investors who have been damaged by fraud in telecommunications and banking industries.

Ms. Zeiss maintains a commitment to *pro bono* legal services by continuing to assist mentally ill clients in a variety of matters—from eviction proceedings to trust administration.

Ms. Zeiss earned a B.A. from Barnard College in 1991 and a J.D. from Benjamin N. Cardozo School of Law in 1995. She is admitted to practice in New York.

KELSO ANDERSON, ASSOCIATE

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Kelso L. Anderson concentrates his practice on prosecuting complex securities litigations on behalf of institutional investors. Since joining the Firm, he has been a member of the Co-Lead Counsel team prosecuting the *In re HealthSouth Securities Litigation* on behalf of the New Mexico State Investment Council, the Educational Retirement Board of New Mexico and the Michigan Pension Funds.

Prior to joining Labaton Sucharow, Mr. Anderson served as an associate at Clifford Chance US LLP, where he focused on securities and banking litigation. Mr. Anderson began his career at Chadbourne & Parke LLP, where he worked as an associate in general commercial litigation trained in all phases of litigation before federal and state courts.

Mr. Anderson earned a B.A. from Rutgers College in 1998, where he graduated with honors and with Phi Beta Kappa honors. He earned a J.D. from Rutgers University School of Law in 2002. During law school, he was the Articles Editor of the *Rutgers Law Review* and also served as a teaching associate for Legal Research & Writing. After law school, Mr. Anderson clerked for the Honorable Peter G. Verniero, New Jersey Supreme Court, and the Honorable Eric L. Clay, U.S. Court of Appeals, Sixth Circuit.

Mr. Anderson is admitted to practice in New York and New Jersey, as well as before the United States District Courts for the Southern and Eastern Districts of New York and the United States Court of Appeals for the Sixth Circuit.

Mr. Anderson is proficient in Japanese.

JAVIER BLEICHMAR, ASSOCIATE

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Javier Bleichmar concentrates his practice in the area of securities class action litigation. Since joining Labaton Sucharow, he has been a member of the team prosecuting the *In re St. Paul Travelers Securities Litigation II* on behalf of the Lead Plaintiff, the Educational Retirement Board of New Mexico.

Mr. Bleichmar earned a B.A. from the University of Pennsylvania in 1992 and a J.D. from Columbia University Law School in 1998. During law school, he was the managing editor of the *Journal of Law and Social Problems*. Additionally, he was awarded the Harlan Fiske Stone Scholar. After law school, Mr. Bleichmar authored the article, "Deportation As Punishment: A Historical Analysis of the British Practice of Banishment and Its Impact on Modern Constitutional Law," 14 *Georgetown Immigration Law Journal* 115 (1999).

Mr. Bleichmar is admitted to practice in New York and the United States District Courts for the Southern and Eastern Districts of New York.

Mr. Bleichmar is a native Spanish speaker, and he is fluent in French.

PETER W. BRUEGGEN, ASSOCIATE

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Peter W. Brueggen concentrates his practice on complex litigation, with a particular emphasis on class actions involving antitrust violations and securities fraud. He is a member of the team working on the class action against AIG, a case brought following the company's disclosure of fraud that resulted in a series of stock drops that wiped out more than \$40 billion.

Other high profile matters in which he has been involved include *In re El Paso Corporation Securities Litigation*, which recently settled for \$285 million and *In re Bristol-Myers Squibb Securities Litigation*, which resulted in a \$185 million settlement as well as sweeping changes to the company's drug development process.

Earlier in his career, Mr. Brueggen played a key role in litigation against the tobacco industry, representing smokers who were deceived by the tobacco industry with regard to the addictive properties of cigarettes. He also represented numerous residents and firefighters who were injured as a result of a chemical plant explosion in New Jersey, which sent harmful toxins into the air of a surrounding community.

Prior to entering law school, Mr. Brueggen worked in research and production positions with ABC News.

Mr. Brueggen earned a B.A. from New York University in 1987 and a J.D. from Albany Law School in 1996. He is admitted to practice law in New York and New Jersey. He is a member of the American Bar Association, the New York State Bar Association and the New York County Lawyers' Association.

Mr. Brueggen is proficient in German.

JOSHUA L. CROWELL, ASSOCIATE

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Joshua L. Crowell concentrates his practice on prosecuting complex securities litigations on behalf of institutional investors.

Prior to joining Labaton Sucharow, Mr. Crowell served as a litigation associate at Paul, Hastings, Janofsky & Walker LLP, where he represented clients primarily in the areas of financial, securitization, environmental, and class action litigation. Mr. Crowell began his career at Ernst & Young LLP, where he worked as a senior economics consultant by pricing intercompany transactions and calculating the value of intellectual property.

Mr. Crowell maintains a strong commitment to pro bono work. He received the Sanctuary for Families "Above and Beyond" award for pro bono representation of battered

women, and most recently represented a woman in a civil suit brought by her abusive ex-husband's father.

Mr. Crowell earned a B.A. from Carleton College in 1999, and received a J.D., *cum laude*, from The George Washington University Law School in 2006. During law school, he was an associate of The George Washington Law Review where he published the casenote: *Jurisdiction over Interlocutory Appeals Under the Federal Arbitration Act Absent an Arbitration Agreement*, 73 Geo.Wash.L.Rev. 767 (2005). In addition to being a member of the Mock Trial Board, he also served as a law intern for Chief Judge Edward J. Damich, United States Court of Federal Claims.

Mr. Crowell is admitted to practice in New York and the United States District Courts for the Southern and Eastern Districts of New York.

DONALD P. DELANEY, ASSOCIATE

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Don Delaney concentrates his practice on prosecuting complex securities litigations on behalf of institutional investors. Since joining the Firm, he has been a member of the team serving as Lead Counsel in the *In re American International Group, Inc. Securities Litigation*.

Mr. Delaney is an experienced trial lawyer having successfully first-chaired several jury trials, both civil and criminal, in federal and state court. Prior to joining Labaton Sucharow, Mr. Delaney was an Assistant Attorney General for the State of New York. In that capacity, he obtained substantial civil litigation experience in the Southern and Eastern Districts of New York. Mr. Delaney also has significant litigation experience through his work as a public defender at Legal Aid. He began his legal career as an associate with a major international law firm in New York.

Mr. Delaney earned a B.S. from New York University's Leonard N. Stern School of Business and a J.D. from the University of Michigan Law School, where he was an editor of the *Michigan Journal of Race and Law*. Prior to attending law school, Mr. Delaney was a Research Analyst in the Mergers and Acquisitions department of a preeminent U.S. investment bank.

Mr. Delaney is admitted to practice in the State of New York, as well as the United States District Court for the Southern and Eastern Districts of New York, and the United States Court of Appeals for the Second Circuit.

ALAN I. ELLMAN, ASSOCIATE

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Alan I. Ellman concentrates his practice in securities fraud class actions, working primarily in the Firm's Case Development Group. This select team analyzes potential liability of issuer companies, their officers and directors, and third-party defendants on behalf of individual and institutional investors, as well as beneficiaries of retirement plans.

Prior to joining Labaton Sucharow, Mr. Ellman practiced securities litigation and regulatory enforcement defense as an associate in the New York office of Chadbourne & Parke LLP.

In September 2006, Mr. Ellman received a Volunteer and Leadership Award from the Housing Conservation Coordinators (HCC) for his *pro bono* service. While at Chadbourne & Parke, he partnered with the HCC to defend a client in Housing Court against a non-payment action, argue an appeal before the Appellate Term concerning an illegal apartment, and staff HCC's housing clinic.

Mr. Ellman received B.S. and B.A. degrees, *cum laude*, from Binghamton University in 1999, and a J.D. degree from Georgetown University Law Center in 2003. Mr. Ellman is

admitted to practice in the State of New York and the United States District Courts for the Southern and Eastern Districts of New York.

JOSEPH A. FONTI, ASSOCIATE

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Joseph A. Fonti focuses his practice on securities class action litigation. Since joining Labaton Sucharow, he has been a member of the team prosecuting the *In re HealthSouth Securities Litigation* on behalf of the Co-Lead Plaintiff, the New Mexico State Investment Council and the Educational Retirement Board of New Mexico.

Mr. Fonti has successfully litigated complex civil and regulatory securities matters, including obtaining a favorable judgment after trial. Prior to joining Labaton Sucharow, Mr. Fonti was an attorney at Bernstein Litowitz Berger & Grossmann LLP, where he prosecuted securities class actions on behalf of institutional investors, including class actions involving WorldCom, Bristol-Myers, Omnicom, Biovail, and the mutual fund industry scandal. Mr. Fonti's work on these cases contributed to historic recoveries for shareholders, including the \$6.15 billion recovery in the WorldCom litigation and the \$300 million recovery in the Bristol-Myers litigation, alleging accounting fraud and improper inventory practices.

Mr. Fonti began his legal career at Sullivan & Cromwell, where he represented several Fortune 500 corporations, focusing on securities matters and domestic and international commercial law. Mr. Fonti also represented clients in complex investigations conducted by federal regulators, including the U.S. Securities and Exchange Commission.

Over the past several years, he has represented victims of domestic violence in affiliation with inMotion, an organization that provides *pro bono* legal services to indigent women.

Mr. Fonti earned a B.A., *cum laude*, from New York University in 1996 and a J.D. from New York University School of Law in 1999, where he was active in the Marden Moot Court

Competition and served as a Student Senator-at-Large of the NYU Senate. As a law student, he served as a law clerk to the Honorable David Trager, United States District Court Judge for the Eastern District of New York.

Mr. Fonti is admitted to practice in New York, as well as the United States District Courts for the Southern and Eastern Districts of New York, the United States Court of Appeals for the Ninth Circuit and the United States Supreme Court.

ANN E. GITTLEMAN, ASSOCIATE

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Ann E. Gittleman concentrates her practice on prosecuting complex securities litigations on behalf of institutional investors. Since joining the Firm, Ms. Gittleman has been a member of a team prosecuting the *In re Countrywide Securities Litigation*.

Prior to joining Labaton Sucharow, Ms. Gittleman, a Certified Public Accountant, practiced securities class action litigation as an associate at another New York-based securities class action firm. Ms. Gittleman began her career at Schiavetti, Corgan, Soscia, Diedwards & Nicholson LLP, where she worked as a litigation associate in professional liability matters before federal and state courts.

Ms. Gittleman earned a B.S. and a B.A., both *magna cum laude*, from Bryant University in 1999, and received her J.D. from Brooklyn Law School in 2004, where she was a member of both the Moot Court Honor Society and the Securities Law Association. She was also the recipient of the Alexander and Emily Mehr Memorial Prize for Excellence in Oral Advocacy. During law school, Ms. Gittleman worked as a Legal Assistant with the Office of the General Counsel at Pricewaterhouse-Coopers LLP where she interacted with governmental organizations, such as the SEC, IRS and Attorney General Office, in coordinating and facilitating investigations of the firm.

Ms. Gittleman is admitted to practice in New York and The Commonwealth of Massachusetts, and before the following federal courts: the United States District Court for the Southern and Eastern Districts of New York, the United States District Court for the District of Massachusetts, and the United States District Court for the District of Connecticut.

JULIE HWANG, ASSOCIATE

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Julie Hwang focuses her practice primarily on securities fraud litigation. Since joining the Firm, she has been a member of the team serving as Lead Counsel in the *In re General Motors Corp. Securities Litigation*.

Ms. Hwang earned a B.A. from the University of California, Los Angeles in 2003 and a J.D. from Brooklyn Law School in 2007.

During law school, she served as a summer associate at Labaton Sucharow, where she researched and drafted memoranda in the areas of securities law, antitrust, civil procedure and professional responsibility. Ms. Hwang also served as a student law clerk for the Honorable Joseph M. McLaughlin, U.S. Court of Appeals, Second Circuit, and was a legal intern for the King's County District Attorney.

Ms. Hwang is proficient in Korean.

RENU KRIPALANI, ASSOCIATE

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Renu Kripalani focuses her practice primarily on securities fraud litigation. Currently, Ms. Kripalani is part of the Co-Lead Counsel team prosecuting the *In re HealthSouth Securities Litigation* on behalf of the New Mexico State Investment Council, the Educational Retirement Board of New Mexico and the Michigan Pension Funds.

Prior to joining Labaton Sucharow, Ms. Kripalani, a Certified Public Accountant, was a Sarbanes-Oxley Compliance Manager for the Corporate Governance Team at AT&T. Ms.

Kripalani also worked at Avon Products, Inc. as a Senior Auditor, where she led financial and operational audits in manufacturing and distribution locations throughout Asia, Europe, Latin and Central America. Ms. Kripalani's previous business experience adds further depth to the Labaton Sucharow team in assessing, asserting and litigating securities claims.

Ms. Kripalani earned a B.A. from Monmouth University in 1992 and was a member of Phi Eta Sigma honor society. She earned a J.D. from New York Law School in 1998 and interned for the New York City Civil and Human Rights Clinic, where she represented plaintiffs in housing discrimination and political asylum actions. She also provided forensic accounting and litigation support at the corporate and securities law firm Folkenflik & McGerity while in law school.

Ms. Kripalani is admitted to practice in New York and is a member of the American Institute of Certified Public Accountants.

CRAIG A. MARTIN, ASSOCIATE

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Craig A. Martin focuses his practice in the area of securities and investor protection litigation. Mr. Martin is a member of the Labaton Sucharow team representing the Successor Liquidating Trustee of Lipper Convertibles, L.P. and Lipper Fixed Income Fund, L.P., failed convertible hedge funds, in actions against the Fund's former independent auditors and members of the Fund's management team. He is also a member of the Labaton Sucharow team actively litigating *In re American International Group, Inc. Securities Litigation*.

Prior to practicing law, Mr. Martin, a Certified Public Accountant, worked in finance, accounting and auditing positions. At Marsh & McLennan Companies, he developed and implemented working capital metrics, and valued and analyzed potential M&A transactions. In addition, he worked for a Fortune 500 pharmaceutical company, where he was responsible for

analyzing the monthly performance of the pharmaceutical operations. Mr. Martin began his professional career at Deloitte & Touche, where, for almost five years, he specialized in auditing financial services companies. Mr. Martin's previous business experience adds further depth to the Labaton Sucharow team in assessing, asserting and litigating securities claims.

Mr. Martin earned a B.S. in Accounting from Ithaca College in 1990. He earned a J.D. in 2004 from Seton Hall University's School of Law. While in law school, Mr. Martin was a participant in the Eugene Gressman Moot Court Competition, was appointed a member of the Appellate Advocacy Moot Court Board, and was awarded Best Brief and Best Oralist in his Appellate Advocacy class. In 2004, Mr. Martin earned an M.B.A. from New York University's Leonard N. Stern School of Business.

Mr. Martin is admitted to practice in New York, New Jersey and the U.S. District Court of New Jersey. He is a member of the American Institute of Certified Public Accountants, New Jersey Society of Certified Public Accountants and the American Bar Association.

BARRY M. OKUN, ASSOCIATE

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Barry Michael Okun is a seasoned trial and appellate lawyer with more than 20 years' experience in a broad range of commercial litigation. Mr. Okun has litigated several leading commercial law cases, including the first case in which the United States Supreme Court ruled on issues relating to products liability.

Mr. Okun has argued appeals before the United States Court of Appeals for the Second Circuit and the Appellate Divisions of three out of the four judicial departments in New York State. He has appeared in numerous trial courts throughout the country.

Mr. Okun received a B.A. from the State University of New York at Binghamton and is a *cum laude* graduate of the Boston University School of Law, where he was Articles Editor of the *Law Review*.

He is admitted to practice in New York and before the United States Supreme Court, the United States Court of Appeals for the First, Second, Seventh and Eleventh Circuits, and the United States District Courts for the Southern and Eastern Districts of New York.

ANDREI V. RADO, ASSOCIATE

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Andrei V. Rado joined Labaton Sucharow's New York office as an associate in the summer of 2006. His practice focuses primarily on securities class action litigation.

Mr. Rado previously served as an in-house attorney at a large New York-based investment bank, where he focused on issues relating to the resale of restricted and control securities. Mr. Rado also practiced securities and consumer class action litigation as an associate at another New York-based securities class action firm.

He earned a B.A., *summa cum laude*, from the State University of New York at Buffalo in 1996 and a J.D. from St. John's University School of Law in 1999, graduating *cum laude*. During law school, he served as a senior member of the *New York International Law Review* and published a case comment regarding international arbitration (12 N.Y. Int'l. L. Rev. 97).

Mr. Rado is admitted to practice in New York and the United States District Courts for the Southern and Eastern Districts of New York. He is a member of the American Bar Association and the New York State Bar Association.

SERENA RICHARDSON, ASSOCIATE

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Serena Richardson focuses her practice on securities class action litigation.

Prior to joining Labaton Sucharow, Ms. Richardson was an attorney at Ohrenstein & Brown LLP, where she participated in various federal and state commercial litigation matters. During her time there, she also defended financial companies in regulatory proceedings and assisted in high-profile coverage litigation matters in connection with mutual funds trading investigations.

Ms. Richardson received a B.A. from Occidental College in 1999 and a J.D. from Boston University School of Law in 2003, where she served as the Note Editor for the *Journal of Science & Technology Law*.

She is admitted to practice in New York and the United States District Courts for the Southern and Eastern Districts of New York.

Ms. Richardson is conversational in Urdu/Hindi.

MICHAEL H. ROGERS, ASSOCIATE

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Michael H. Rogers focuses his practice on securities class action litigation. Currently, Mr. Rogers is actively involved in *In re HealthSouth Securities Litigation* and *In re Mercury Interactive Securities Litigation*.

Prior to joining Labaton Sucharow, Mr. Rogers was an attorney at Kasowitz, Benson, Torres & Friedman LLP, where he practiced securities and antitrust litigation. During his time there, he represented international banking institutions in federal securities and other claims against major banks, auditing firms, ratings agencies and individuals in complex multidistrict litigation. He also represented a major international chemical shipping firm in complex arbitration of antitrust and other claims against conspirator ship owners. Mr. Rogers began his career as an attorney at Sullivan & Cromwell, where he was part of Microsoft's defense team

against the “non-settling states” in the remedies phase of the Department of Justice antitrust action against the company.

Mr. Rogers received his B.A., *magna cum laude*, from Columbia University in 1995, and his J.D., *magna cum laude*, from the Benjamin N. Cardozo School of Law in 2001, where he was a member of the *Cardozo Law Review*.

He is admitted to practice in New York and the United States District Courts for the Southern and Eastern Districts of New York.

Mr. Rogers is proficient in Spanish

KRISTA ROSEN, ASSOCIATE

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Krista Rosen concentrates her practice in the area of securities class action litigation.

She is a member of the team litigating the federal securities fraud class action against AIG, representing as Lead Plaintiff several Ohio pension funds.

Ms. Rosen earned a B.A. from Bowdoin College in 2002 and a J.D. from the Benjamin N. Cardozo School of Law in 2006. During law school, she was selected to participate in the Securities Arbitration Clinic, where she represented investors in arbitration actions against securities brokers. Additionally, Ms. Rosen served as the Articles Editor of the *Cardozo Law Review*. In March 2006, she was awarded third place in the 2005-2006 national writing competition sponsored by the Association of Securities and Exchange Commission Alumni (ASECA) for her Note entitled “Staying in Court While Staying Discovery: Finding Exceptions for Government-Produced Documents Under the PSLRA.”

Ms. Rosen is admitted to practice in Massachusetts. She currently has an application for bar admission pending in New York.

MICHAEL W. STOCKER, ASSOCIATE

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Michael W. Stocker represents clients in commercial litigation, with a primary focus on sophisticated class action matters.

Prior to joining Labaton Sucharow, Mr. Stocker worked as a senior associate at Berman DeValerio Pease Tabacco Burt & Pucillo on securities and antitrust class action cases.

Earlier in his career, Mr. Stocker worked as a senior staff attorney with the United States Court of Appeals for the Ninth Circuit, and completed a legal externship with United States Magistrate Judge (now District Judge) Phyllis J. Hamilton of the Northern District of California.

Mr. Stocker is the co-author of an article entitled, "Tellabs: PSLRA Pleading Test Comparative, Not Absolute," *New York Law Journal*, October 3, 2007.

Mr. Stocker has served on the boards of the University of California San Francisco's AIDS Health Project and AIDS Benefits Counselors, and has worked for the Immigrant HIV Assistance Project and the Volunteer Legal Services Program in San Francisco as well as Legal Assistance for Seniors in Oakland, California.

Mr. Stocker earned a B.A. from the University of California, Berkeley, in 1989, a J.D. from the University of California, Hastings College of Law, in 1995, and a Master of Criminology degree from the Law Department of the University of Sydney in 2000. He is admitted to practice in California and New York as well as before the United States District Courts for the Northern and Central Districts of California, the Southern and Eastern Districts of New York, and the United States Courts of Appeal for the Eighth and Ninth Circuits.

JESSE STRAUSS, ASSOCIATE

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Jesse Strauss concentrates his practice on prosecuting complex securities litigations on behalf of institutional investors.

Prior to joining Labaton Sucharow, Mr. Strauss served as a law clerk for the Honorable Dora L. Irizarry, U.S. District Court for the Eastern District of New York. He began his career at Blank Rome LLP, where he worked as a litigation associate. During his time there, he assisted in the trial of three matters, with one resulting in a multi-million dollar verdict in New York State Supreme Court in a fraud case.

Mr. Strauss maintains a strong commitment to *pro bono* work. Most recently, he traveled to Ghana for 10 weeks to assist an organization that mediates land disputes and works toward land reform.

Mr. Strauss earned a B.A. from The George Washington University in 1999, and received a J.D., *cum laude*, from Brooklyn Law School in 2003. During law school, he was the co-chair of the Brooklyn Law Students for the Public Interest as well as a Note & Comments Editor for the *Journal of Law and Policy*. In addition to being a Richardson Merit Scholar, he was also the recipient of the Edward V. Sparer Public Interest Fellowship where he was a student law clerk for the NAACP Legal Defense and Education Fund in Los Angeles, CA.

Mr. Strauss is admitted to practice in New York and the United States District Courts for the Southern and Eastern Districts of New York

STEFANIE J. SUNDEL, ASSOCIATE

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Stefanie J. Sundel focuses her practice primarily on securities fraud litigation. Ms. Sundel is a member of a team prosecuting the *In re Countrywide Securities Litigation*.

Prior to joining Labaton Sucharow, Ms. Sundel was an associate at the law firm of Abbey Gardy LLP, where she concentrated on securities fraud litigation. During her time at Abbey Gardy, she was a member of the team litigating *In re Adelphia Communications Corp. Securities & Derivative Litigation*.

Ms. Sundel obtained a B.A. from Franklin College Switzerland in 2001, where she graduated *magna cum laude*. She received a J.D. from New York Law School with honors in 2004.

Ms. Sundel is admitted to practice in New York and before the United States District Court for the Southern District of New York. She is a member of the American Bar Association, the New York State Bar Association, the Association of the Bar of the City of New York and the New York County Lawyers' Association.

She is fluent in Italian.

STEPHEN W. TOUNTAS, ASSOCIATE

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Stephen W. Tountas concentrates his practice in the area of securities class action litigation. Since joining Labaton Sucharow, Mr. Tountas has been responsible for prosecuting several of the Firm's options backdating cases, including *In re HCC Insurance Holdings, Inc. Securities Litigation* and *In re American Tower Corp. Securities Litigation*. Among other matters, Mr. Tountas is also a member of the team responsible for prosecuting *In re Celestica Inc. Securities Litigation*.

Prior to joining Labaton Sucharow, Mr. Tountas practiced securities litigation at Bernstein Litowitz Berger & Grossmann LLP, where he prosecuted securities class actions on behalf of institutional investors. During his time there, he prosecuted the *In re OM Group, Inc. Securities Litigation*, which resulted in a settlement of \$92.4 million, as well as cases involving Biovail Corp., MasTec, Inc., Collins & Aikman Corp. and Scottish Re Group.

Mr. Tountas earned a B.A. from Union College in 2000 and a J.D. from Washington University School of Law in 2003. As a law student, he served as Editor-in-Chief of the *Journal of Law & Policy* and was a finalist in the Environmental Law Moot Court Competition.

Additionally, Mr. Tountas worked as Research Assistant to Joel Seligman, one of the country's foremost experts on securities law. In May 2003, he received the Scribe's Award in recognition of his Note entitled, "Carnivore: Is the Regulation of Wireless Technology a Legally Viable Option to Curtail the Growth of Cybercrime?," 11 Wash. U. J.L. & Pol'y 351.

Mr. Tountas is admitted to practice in New York and New Jersey and before the United States District Court for the Southern District of New York, the United States District Court for the District of New Jersey, and the United States Court of Appeals for the Ninth Circuit.

ETHAN D. WOHL, ASSOCIATE

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Ethan D. Wohl practices principally in the area of securities litigation, with a focus on corporate governance. Representative securities fraud class actions in which Mr. Wohl has played an active role include *In re Star Gas Securities Litigation*, *In re Take-Two Interactive Securities Litigation* and *In re IBM Securities Litigation*. Mr. Wohl has also represented major U.S. and European institutional investors in evaluating and prosecuting individual securities fraud cases, and has litigated class action and appraisal claims arising out of corporate mergers.

Prior to joining Labaton Sucharow, Mr. Wohl served as the general counsel of the New York City Housing Partnership and served in management positions at New York City's housing and public assistance agencies. He also established a community-based job training program for ex-offenders in Brooklyn, New York.

Mr. Wohl's recent publications include "Executive Compensation -- Despite Reforms, Pay Is Less Transparent and Shareholder-Friendly Than in the Past," in the *New York Law Journal*, "Confidential Informants in Private Litigation: Balancing Interests in Anonymity and Disclosure," in the *Fordham Journal of Corporate & Financial Law*, and "When Does a Company Intend to Lie?" in the *Andrews Securities Litigation & Regulation Reporter*.

Mr. Wohl received a B.A., with honors, from the University of Chicago in 1989 and received a J.D. from the New York University School of Law in 1993, where he graduated *magna cum laude* and was a member of the Order of the Coif. Following law school, he served as law clerk to the Honorable Denis R. Hurley, United States District Judge, Eastern District of New York.

Mr. Wohl is admitted to practice in New York, New Jersey and Florida, in the United States Courts of Appeals for the Second and Fourth Circuits, and in the United States District Courts for the Southern and Eastern Districts of New York, the District of New Jersey and the Southern District of Florida.

Exhibit E

BERMAN DeVALERIO PEASE TABACCO BURT & PUCILLO

THE FIRM

The law firm of Berman DeValerio Pease Tabacco Burt & Pucillo prosecutes class actions nationwide on behalf of victims of securities and antitrust law violations. Founded in 1982, Berman DeValerio has 31 attorneys in Boston, San Francisco and West Palm Beach. The firm holds leadership positions in dozens of securities and antitrust actions around the country.

The attorneys at Berman DeValerio have prosecuted hundreds of class actions on behalf of defrauded individuals and institutions, recovering billions of dollars overall for clients. In addition to the financial recoveries, the firm has achieved significant changes in corporate governance.

The firm acts as monitoring, evaluation, and/or litigation counsel for more than 60 public and Taft-Hartley pension funds, including three of the four largest pension funds in the nation and more than a quarter of all U.S. public funds with more than \$5 billion in assets under management.

RESULTS

Securities Settlements

The firm has negotiated substantial recoveries and corporate governance changes for its clients. The following is a selection of significant results in securities litigation:

In re: WorldCom, Inc. Sec. Litig., 02cv3288 (S.D.N.Y.). As counsel to court-appointed bondholder representatives the County of Fresno, Calif., and the Fresno County Employees' Retirement Association, Berman DeValerio helped a team of lawyers representing the lead plaintiff, the New York State Common Retirement Fund, obtain settlements worth more than \$6.13 billion as of July 2005.

Carlson v. Xerox Corp., et al., 3:00-CV-1621 (D. Conn.). Representing the Louisiana State Employees' Retirement System ("LASERS") as co-lead counsel, Berman DeValerio's Boston office negotiated a \$750 million settlement to resolve claims of securities fraud against Xerox, certain top officers, and its auditor KPMG LLP. LASERS was the only institutional lead plaintiff in the class action. If the settlement receives final court approval in October, the recovery will be one of the top ten securities class action settlements since passage of the PSLRA.

In re: Bristol-Myers Squibb Sec. Litig. (Bristol-Myers 2), 02cv2251 (S.D.N.Y.). Berman DeValerio represented the Fresno County Employees' Retirement Association and the Louisiana State Employees' Retirement System as co-lead plaintiffs, negotiating a cash

settlement of \$300 million in July 2004. At that time, the settlement was the largest by a drug company in a U.S. securities fraud case.

In re: El Paso Sec. Litig., H-02-2717 (S.D. Tex.). Representing the Oklahoma Firefighters Pension and Retirement System as co-lead plaintiff, Berman DeValerio helped negotiate a memorandum of understanding to settle claims against the defendants for \$285 million, including \$12 million from auditors PricewaterhouseCoopers. The court granted final approval of the settlement in March 2007.

In re: Digital Lightwave Sec. Litig., 98-152cvT-24C (M.D. Fla.). The Boston office acted as co-lead counsel and the Florida office acted as liaison counsel in negotiating a settlement that included changing company management and strengthening the company's internal financial controls. The class received 1.8 million shares of freely tradable common stock that traded at just below \$4 per share when the court approved the settlement. At the time the shares were distributed to the members of the class, the stock traded at approximately \$100 per share and class members received more than 200% of their losses after the payment of attorneys' fees and expenses. The total value of the settlement, at the time of distribution, was almost \$200 million.

In re: Bristol-Myers Squibb Sec. Litig. (Bristol-Myers 1), 00cv1990, (D.N.J.). The firm negotiated a \$185 million partial settlement with Bristol-Myers and Charles A. Heimbold, Jr., the company's former chairman and chief executive officer. The company also agreed to implement corporate governance reforms. The settlement agreement received final court approval in May 2006.

In re: Symbol Technologies, Inc. Sec. Litig., 2:02cv01383 (E.D.N.Y.). Berman DeValerio represented the Municipal Police Employees' Retirement System of Louisiana as co-lead plaintiff, obtaining a \$139 million partial settlement in June 2004. Subsequently, Symbol's former auditor, Deloitte & Touche LLP, agreed to pay \$24 million. The settlement was approved by the court in September 2006.

In re: Lernout & Hauspie Sec. Litig., 00-11589 (D. Mass.) and *Quaak v. Dexia, S.A.*, 03-11566 (D. Mass.). As co-lead counsel, Berman DeValerio negotiated what was then the third largest settlement ever paid by accounting firms in a securities class action – a \$115 million agreement with the U.S. and Belgian affiliates of KPMG International – to settle claims of accounting malpractice in December 2004. The case stemmed from KPMG's work for Lernout & Hauspie Speech Products, a software company driven into bankruptcy by a massive fraudulent scandal. In March 2005, the firm also reached an additional settlement worth \$5.27 million with certain of Lernout & Hauspie's former top officers and directors. In the related *Quaak* case, the firm negotiated a \$60 million settlement with Dexia Bank Belgium to settle claims stemming from the bank's alleged role in the fraudulent scheme at Lernout & Hauspie. The court granted final approval of the Dexia settlement in June 2007. The Dexia agreement brought the total settlement value to more than \$180 million.

In re: Prison Realty Sec. Litig., 3:99cv0452 (M.D. Tenn.), (In re: Old CCA Sec. Litig., 3:99cv0458). The firm represented the former shareholders of Corrections Corporation of America, which merged with another company to form Prison Realty Trust, Inc. The action charged that the registration statement issued in connection with the merger contained untrue statements. The firm countered arguments that the class' claims of securities fraud were released in prior litigation involving the merger and overcame motions to dismiss. It negotiated a global settlement of approximately \$120 million in cash and stock for this case and other related litigation.

Oracle Cases, Coordination Proceeding, Special Title (Rule 1550(b)) No. 4180 (Cal. Sup. Ct., SM Cty.). In this coordinated derivative action, Oracle Corporation shareholders alleged that the company's CEO, Lawrence J. Ellison, profited from illegal insider trading. Acting as co-lead counsel, the firm reached a settlement under which Mr. Ellison would personally make a charitable donation of \$100 million over five years in Oracle's name to an institution or charity approved by the company and pay \$22 million in attorneys' fees and expenses associated with the prosecution of the case. This innovative agreement, approved by a judge in December 2005, benefited Oracle through increased goodwill and brand recognition, while minimizing issues that would have been raised by a payment from Mr. Ellison to the company, of which he was a large shareholder. In addition, the lawsuit resulted in important changes to Oracle's insider trading policies that decrease the chances that an insider will trade in possession of material, non-public information.

In re: Philip Services Corp. Sec. Litig., 98cv0835 (S.D.N.Y). As co-lead counsel, Berman DeValerio negotiated a total \$79.75 million settlement with the bankrupt company's former auditors, top officers, directors and underwriters. The case alleges that Philip Services and its top officers and directors made false and misleading statements regarding the company's publicly reported revenues, earnings, assets and liabilities. The court granted final approval of the settlements in March 2007.

In re: Reliant Sec. Litig., 02cv1810 (S.D. Tex.). As lead counsel representing the Municipal Police Employees' Retirement System of Louisiana, the firm negotiated a \$75 million cash settlement from the company and Deloitte & Touche LLP. The settlement agreement was announced in July 2005 and the Court granted final approval in January 2006.

In re: KLA-Tencor Corp. Sec. Litig., 06cv04065 (N.D. Cal.). Representing co-lead plaintiff the Louisiana Municipal Police Employees' Retirement System, Berman DeValerio negotiated a \$65 million agreement in January 2008 to settle claims that KLA-Tencor illegally backdated stock option grants, issued false and misleading statements regarding grants to key executives, and inflated the company's financial results by understating expenses associated with the backdated options. Final approval is pending.

Ehrenreich v. Witter, 95cv6637 (S.D. Fla.). The Florida office acted as co-lead counsel in a case involving Sensormatic Electronics Corp., which resulted in a settlement of

\$53.5 million approved in 1998. It was one of the largest class action settlements in the state of Florida.

In re: Thomas & Betts Sec. Litig., 2:00cv2127 (W.D. Tenn.). The firm served as co-lead counsel in this class action, which settled for more than \$51 million. Plaintiffs had accused the company and other defendants of issuing false and misleading financial statements for 1996, 1997, 1998, 1999 and the first two quarters of 2000.

In re: Enterasys Networks, Inc. Sec. Litig., C-02-071-M (D.N.H.). Berman DeValerio acted as sole lead counsel in a case against Enterasys Networks, Inc., in which the Los Angeles County Employees Retirement Association was lead plaintiff. The company settled in October 2003 for \$17 million in cash, stock valued at \$33 million and major corporate governance improvements that opened the computer networking company to greater public scrutiny. Changes included requiring the company to back a proposal to eliminate its staggered board of directors, allowing certain large shareholders to propose candidates to the board and expanding the company's annual proxy disclosures. The settlement received court approval in December 2003.

Giarraputo v. UNUMProvident Corp., 2:99cv00301 (D. Me.). A member of the executive committee representing plaintiffs, Berman DeValerio secured a \$45 million settlement in a lawsuit stemming from the 1999 merger that created UNUMProvident. Shareholders of both predecessor companies accused the insurer of misleading the public about its business condition before the merger. The settlement received final approval in June 2002.

In re: UCAR International, Inc. Sec. Litig., 98cv0600 (D. Conn.). The firm represented the Florida State Board of Administration as the lead plaintiff in a securities claim arising from an accounting restatement. The case settled for \$40 million cash and the requirement that UCAR appoint an independent director to its board of directors. The settlement was approved in 2000.

In re: SmartForce PLC d/b/a SkillSoft Sec. Litig., 02cv544 (D.N.H.). Representing the Teachers' Retirement System of Louisiana as co-lead plaintiff, Berman DeValerio negotiated a \$30.5 million partial settlement with SkillSoft. Subsequently, the firm also negotiated an \$8 million cash settlement with Ernst & Young Chartered Accountants and Ernst & Young LLP, SkillSoft's auditors at the time. The settlements received final approval in September 2004 and November 2005, respectively.

In re: Centennial Technologies Sec. Litig., 97cv10304 (D. Mass.). The firm served as sole lead counsel a class action involving a massive accounting scandal that shot down the company's high-flying stock. The Boston office negotiated a settlement that permitted a turnaround of the company and provided a substantial recovery for class members. The firm negotiated changes in corporate practice, including a strengthening of internal financial controls and obtained 37% of the company's stock for the class. The firm also recovered \$20 million from Coopers & Lybrand, Centennial's auditor at the time. In

addition, the firm recovered \$2.1 million from defendants Jay Alix & Associates and Lawrence J. Ramaekers for a total recovery of more than \$35 million for the class.

In re: Avant, Sec. Litig., 96cv20132 (N.D. Cal.). Avant!, a software company, was charged with securities fraud in connection with its alleged theft of a competitor's software code, which Avant! incorporated into its flagship software product. Serving as lead counsel, the firm recovered \$35 million for the class. The recovery resulted in each eligible class claimant receiving almost 50% of losses net of attorneys' fees and expenses.

In re: Sykes Enterprises, Inc. Sec. Litig., 8:00cv212-T-26F (M.D. Fla.). The firm represented the Florida State Board of Administration as co-lead plaintiff. Sykes Enterprises was accused of using improper means to match the company's earnings with Wall Street's expectations. The firm negotiated a \$30 million settlement, which received final approval in March 2003.

In re: Valence Sec. Litig., 95cv20459 (N.D. Cal.). The California office served as co-lead counsel for the class, litigating against a Silicon Valley-based company that overstated performance and development of an allegedly revolutionary battery technology. After the Ninth Circuit reversed the District Court's decision to grant summary judgment in favor of defendants, the case settled for \$30 million in Valence common stock.

In re: Sybase II, Sec. Litig., 98cv0252-CAL (N.D. Cal.). Sybase was charged with inflating its quarterly financial results by improperly recognizing revenue at its wholly owned subsidiary in Japan. Acting as co-lead counsel, attorneys in the California office obtained a \$28.5 million settlement.

In re: ICG Communications Inc. Sec. Litig., 00cv1864 (D. Colo.). As co-lead counsel representing the Strategic Marketing Analysis Fund, the firm negotiated an \$18 million settlement with ICG Communications Inc. The case alleged that ICG executives misled investors and misrepresented growth, revenues and network capabilities. The court granted final approval of the settlement in January 2007.

In re: Critical Path, Inc. Sec. Litig., 01cv0551 (N.D. Ca.). The firm negotiated a \$17.5 million recovery to settle claims of accounting improprieties at a California software development company. The firm, representing the Florida State Board of Administration, was appointed sole lead counsel in August 2001. Allegations of serious fraud arose shortly after the collapse of Critical Path's stock price and certain former officers were indicted for stock fraud. The difficulties facing the lead plaintiff related to marshalling all available resources to secure a recovery for the class as Critical Path teetered on the edge of bankruptcy. Following negotiations, the case settled for \$17.5 million. The settlement was approved in June 2002.

Hallet v. Li & Fung, Ltd., et al., 95cv08917 (S.D.N.Y.). Cyrk Inc. was charged with misrepresenting its financial results and failing to disclose that its largest customer was

ending its relationship with the company. In 1998, the Boston office successfully recovered more than \$13 million for defrauded investors.

In re: Warnaco Group, Inc. Sec. Litig., 00cv6266 (S.D.N.Y.). Representing the Fresno County Employees' Retirement Association as co-lead plaintiff, the firm negotiated a \$12.85 million settlement against several current and former top officers of the company.

Gelfer v. Pegasystems, Inc., et al., 98cv12527 (D. Mass.). As co-lead counsel, the Boston office negotiated a settlement valued at \$12.5 million, \$4.5 million in cash and \$7.5 million in shares of the company's stock or cash, at the company's option.

Sand Point Partners, L.P. v. Pediatrix Medical Group, Inc., 99cv6181 (S.D. Fla.). Berman DeValerio represented the Florida State Board of Administration, which was appointed co-lead plaintiff along with several other public pension funds. The complaint accused Pediatrix of Medicaid billing fraud, claiming that the company illegally increased revenue and profit margins by improperly coding treatment rendered. The case settled for \$12 million on the eve of trial in 2002, after completion of discovery. As co-lead counsel, the firm prosecuted the case through pre-trial proceedings.

In re: Molten Metal Technology Inc. Sec. Litig., 1:97cv10325 (D. Mass.) and Axler v. Scientific Ecology Group, Inc., et al., 1:98cv10161 (D. Mass.). As co-lead counsel, the Boston office played a key role in settling the actions after Molten Metal and several affiliates filed a petition for bankruptcy reorganization in Massachusetts. The individual defendants and the insurance carriers in Molten Metal agreed to settle for \$11.91 million. After the bankruptcy, a trustee objected to the use of insurance proceeds for the settlement. The parties agreed to pay the trustee \$1.325 million of the Molten Metal settlement. The parties also agreed to settle claims against Scientific Ecology Group for \$1.25 million, giving Molten Metal's investors \$11.835 million.

In re: CHS Electronics, Inc. Sec. Litig., 99-8186-CIV (S.D. Fla.). The firm helped obtain an \$11.5 million settlement for co-lead plaintiff Warburg, Dillon, Read, LLC (now UBS Warburg).

In re: Summit Technology Sec. Litig., 96cv11589 (D. Mass.). The Boston office, as co-lead counsel, negotiated a settlement consisting of \$10 million for the benefit of the class. The action was intensely litigated for four years, resulting in motion practice on the adequacy of the complaint and the issue of class certification, the review and analysis of over a million pages of documents produced by the defendants and 40 third-party witnesses, the depositions of 40 witnesses, the exchange of nine expert reports and the filing of and responding to nine motions for summary judgment.

In re: Exide Corp. Sec. Litig., 98cv60061 (E.D. Mich.). Exide was charged with having altered its inventory accounting system to artificially inflate profits by reselling used, outdated or unsuitable batteries as new ones. The Boston office, as co-lead counsel for the class, recovered more than \$10 million in cash for class members.

In re: Fidelity/Micron Sec. Litig., 95cv12676 (D. Mass.). The firm recovered \$10 million in cash for Micron investors after a Fidelity Fund manager touted Micron while secretly selling the stock.

In re: Interspeed, Inc. Sec. Litig., 00cv12090-EFH (D. Mass.). The Boston office served as co-lead counsel and negotiated a \$7.5 million settlement on behalf of the class. The settlement was reached in an early stage of the proceedings largely as a result of the financial condition of Interspeed and the need to salvage a recovery from its available assets and insurance.

In re: Abercrombie & Fitch Co. Sec. Litig., M21-83 (S.D.N.Y.). As a member of the executive committee in the case, the firm recovered more than \$6 million on behalf of investors. The case alleges that the clothing company misled investors with respect to declining sales which affected the company's financial condition. The court granted final approval of the settlement in January 2007.

Antitrust Settlements

Over the past two decades, Berman DeValerio has held leadership roles in scores of complex antitrust cases, negotiating substantial settlements for its clients. These include:

In re: Foreign Currency Conversion Fee Antitrust Litig. (MDL 1409) (S.D.N.Y.). The West Palm Beach office, as head of discovery against defendant Citigroup Inc., played a key role in reaching a proposed \$336 million settlement. The agreement settles claims that the defendants, which include the VISA, MasterCard and Diners Club networks and other leading bank members of the VISA and MasterCard networks, violated federal and state antitrust laws in connection with fees charged to U.S. cardholders for transactions effected in foreign currencies. The proposed settlement is subject to final court approval.

Sullivan et al. v. DB Investments, Inc. et al., 04cv02819 (D.N.J.). Representing a group of diamond resellers, Berman DeValerio reached a preliminary settlement of \$295 million on March 31, 2006, with De Beers in the case. De Beers also agreed to adhere to a broad federal antitrust injunction as part of the class action settlement. The proposed settlement requires final court approval.

In re: DRAM Antitrust Litig., M:02cv01486 (N.D. Cal). As liaison counsel, the California office actively participated in this Multi-District Litigation which ultimately resulted in significant settlements with some of the world's leading manufacturers of Dynamic Random Access Memory ("DRAM") chips. The defendant chip-makers allegedly conspired to fix prices of the DRAM memory chips sold in the United States during the class period. The negotiated settlements total nearly \$326 million.

In re: Sorbates Direct Purchaser Antitrust Litig., C 98-4886 CAL (N.D. Cal.). The California office served as lead counsel, alleging that six manufacturers of Sorbates, a

food preservative, violated antitrust laws through participation in a worldwide conspiracy to fix prices and allocations to customers in the United States. The firm negotiated a partial settlement of \$82 million with four of the defendants in 2000. Following intensive pretrial litigation, the firm achieved a further \$14.5 million settlement with the two remaining defendants, Japanese manufacturers, in 2002. The total settlement achieved for the class was \$96.5 million.

In re: Disposable Contact Lens Antitrust Litig., MDL 1030 (M.D. Fla.). Attorneys in the Florida office acted as co-lead counsel and chief trial counsel. Representing both a national class and the State of Florida, the firm helped secure settlements from defendants Bausch & Lomb and the American Optometric Association before trial and from Johnson & Johnson after five weeks of trial. The settlements were valued at more than \$92 million and also included significant injunctive relief to make disposable contact lenses available at more discount outlets and at more competitive prices.

In re: Cardizem CD Antitrust Litig., 99-01278 (E.D. Mich.) In another case involving generic drug competition, Berman DeValerio, as co-lead counsel, helped secure an \$80 million settlement from French-German drug maker Aventis Pharmaceuticals and the Andrx Corporation of Florida. The payment to consumers, state agencies and insurance companies settles claims that the companies conspired to prevent the marketing of a less expensive generic version of the blood pressure medication Cardizem CD. The state attorneys general of New York and Michigan joined that case in support of the class.

In re: Toys "R" Us Antitrust Litig., MDL 1211 (E.D.N.Y.). The California office negotiated a \$62 million settlement to answer claims that the retailer violated laws by colluding to cut off or limit supplies of popular toys to stores that sold the products at lower prices. One component of the settlement required Toys "R" Us to donate \$40 million worth of toys to needy children throughout the United States over a three-year period.

In re: Canadian Car Antitrust Litig., 03-md-1532 (D. Me.). In an action against automobile manufacturers and dealer associations, Berman DeValerio reached a partial settlement with defendant Toyota Motor Sales for \$35 million and changes to the company's business practices to be in compliance with the Sherman Antitrust Act. The proposed partial settlement requires court approval.

In re: Industrial Diamonds Antitrust Litig., MDL-948 (S.D.N.Y.). The California office served as co-lead counsel, alleging General Electric and DeBeers conspired to fix, raise and maintain the prices of industrial diamond products in violation of the federal antitrust laws. The action settled for a combined cash and coupon settlement valued at \$26 million.

In re: NASDAQ Market-Makers Antitrust Litig., 94cv3996 (S.D.N.Y.). The firm played a significant role in one of the largest antitrust settlements on record in a case that involved alleged price-fixing by more than 30 NASDAQ Market-Makers on about 6,000

NASDAQ-listed stocks over a four-year period. The settlement was valued at nearly \$1 billion.

In re: Buspirone Antitrust Litig., MDL 1413 (S.D.N.Y.). Berman DeValerio attorneys also played a key role in obtaining a \$535 million agreement from Bristol-Myers Squibb Co. to partially settle claims that the drug company had illegally blocked generic competition for its anxiety medication, BuSpar.

LEADERSHIP ROLES

The firm has acted as lead or co-lead counsel in dozens of high profile cases, and has played an active role in some of the country's most prominent class actions. The following is a list of active cases where the firm is currently serving as lead or co-lead counsel for the class or as executive committee member. This list does not include the numerous closed actions where the firm served as lead or co-lead counsel.

Securities Class Actions

- In re: American Home Mortgage Sec. Litig., 07-MD-1898 (E.D.N.Y.) – Co-lead Counsel.
- In re: International Rectifier Corp. Sec. Litig., 07cv02544 (C.D. Cal.) – Co-lead Counsel.
- In re: Par Pharmaceutical Sec. Litig., 06cv03226 (D. N.J.) – Member of the Executive Committee.
- Hwang v. Smith & Wesson Holding Corp., et. al., 07cv30238 (D. Mass.) – Lead Counsel.
- In re: Stone & Webster, Inc. Sec. Litig., 00cv10874 (D. Mass.) – Member of the Executive Committee and Liaison Counsel.
- In re: Sunrise Senior Living, Inc. Sec. Litig., 07cv00102 (D.D.C.) – Co-lead Counsel.
- In re: Xcelera.com Sec. Litig., 1:00cv11649 (D. Mass.) – Co-lead Counsel.

Antitrust Class Actions

- In re: New Motor Vehicles Canadian Export Antitrust Litig., 03-MD-1532-P-H (D. Me.) – Lead Counsel.
- In re: Abbott Laboratories Norvir Antitrust Litig., 04-1511, 04-4203, (N.D. Cal.) – Lead Counsel.
- In re: Pineapple Antitrust Litig., 04cv00705 (S.D.N.Y.) – Co-lead Counsel.
- In re: Reformulated Gasoline (RFG) Antitrust and Patent Litig., 2:05-ml-01671-CAS-VBK (C.D. Cal.) – Co-lead Counsel.

TRIAL EXPERIENCE

The firm also has extensive experience in taking securities and antitrust class actions to trial. Over the years, its attorneys have gone to trial against pharmaceutical companies in New York and Boston, a railroad conglomerate in Delaware, one of the nation's largest trustee banks in Philadelphia, a major food retailer in St. Louis, and the top officers of a failed New England bank. The firm also took an environmental products company to trial in Philadelphia and successfully argued the case before a federal appeals court.

The firm has been involved in more trials than most of the firms in the plaintiffs' class action bar. Our partners' trial experience includes:

- White v. Heartland High-Yield Municipal Bond Fund, 00-C-1388 (E. D. Wis.) Jury trial for three weeks; case settled in mid-trial for a PwC settlement of \$8.25 million, the court granted final approval of the settlement in June 2006;
- In re: Disposable Contact Lens Antitrust Litig., MDL 1030 (M.D. Fla.) Settled for \$60 million with defendant Johnson & Johnson after five weeks of trial;
- Gutman, et al v. Howard Savings Bank, et al; 2:90cv02397 (D.N.J.) Jury verdict for plaintiffs after six weeks of trial in individual action. Mr. Tabacco also obtained a landmark opinion allowing investors to pursue common law fraud claims arising out of their decision to retain securities as opposed to purchasing new shares. *See Gutman v. Howard Savings Bank*, 748 F. Supp. 254 (D.N.J. 1990);
- Hurley v. Federal Deposit Insurance Corp., 88cv940 (D. Mass.) Bench verdict for plaintiffs;
- Levine, et al. v. Fenster, et. al., 2cv895131 (D.N.J.) \$3 million plaintiffs' verdict following four-week trial;

- In re: Equitec Sec. Litig., 90cv2064 (N.D. Cal.) \$35 million settlement at close of evidence following five-month trial;
- In re: ICN/Viratek Sec. Litig., 87cv4296 (S.D.N.Y.) Hung jury with 8-1 vote in favor of plaintiffs; the case settled for over \$14.5 million after the trial;
- In re: Biogen Sec. Litig., 94cv12177 (D. Mass.) Verdict for defendants;

PARTNERS

Norman Berman

In 1982, Norman Berman co-founded Berman DeValerio & Pease, LLP, a predecessor to Berman DeValerio. For the past 25 years, he has focused his practice principally on the complex litigation of cases filed under the federal securities and antitrust laws.

During the course of his career, Mr. Berman has litigated numerous cases to successful resolution, recovering many millions of dollars on behalf of defrauded investors. He was recently among the lead attorneys in the ICG Communications, Inc. and Philip Services Corp. class actions. In the class action against ICG Communications, he helped to successfully secure an \$18 million settlement. Co-lead plaintiffs in the case alleged that ICG executives misled investors and misrepresented ICG's growth, revenues, and network capabilities throughout the class period. In the case against Philip Services, Mr. Berman assisted in negotiating a \$79.75 million settlement. To date, that settlement includes the largest recovery ever obtained from a Canadian auditor.

Mr. Berman also served as one of the lead attorneys on the Carlson v. Xerox Corp. litigation, which recently received preliminary court approval for a \$750 million settlement. If the settlement receives final court approval in October 2008, the recovery will be one of the top ten securities class action settlements since the passage of the Private Securities Litigation Reform Act of 1995.

Mr. Berman has acted as trial counsel in a number of successful cases, including Hurley et al v. Federal Deposit Insurance Corp et al, where the court entered an \$18 million judgment against the failed First Service Bank for Savings, and ICN Securities Litigation, which settled after trial for more than \$14.5 million in 1996. The trial team's work in ICN prompted positive judicial comment.

Prior to co-founding Berman DeValerio & Pease, Mr. Berman was associated with the Boston-based general practice firms Barron & Stadfeld, P.C. and Harold Brown & Associates.

Mr. Berman graduated from Boston University in 1970 and from Suffolk University Law School in 1974. While in law school, he was a member of the Public Defenders Group, and following law school, an intern with the Massachusetts Defenders Committee.

Mr. Berman is co-author of a chapter on expert testimony in a handbook on Massachusetts Evidence published by Massachusetts Continuing Legal Education (MCLE). He is AV rated by Martindale-Hubbell.

Mr. Berman is admitted to practice law in the Commonwealth of Massachusetts and the state of Connecticut and the U.S. Supreme Court.

Jeffrey C. Block

A partner in Boston, Jeffrey C. Block focuses his practice on securities litigation and is a member of the case evaluation and monitoring team for institutional clients. He is a main point of contact for many of the firm's public fund clients, including the Los Angeles County Employees Retirement Association, the Illinois State Board of Investment and the Teachers' Retirement System of Louisiana.

Mr. Block has worked on numerous securities cases as a lead attorney at Berman DeValerio, successfully obtaining recoveries on behalf of defrauded investors. Cases of note include the Lernout & Hauspie, Bristol-Myers Squibb, Symbol Technologies and Philip Services class actions. In the Lernout & Hauspie case, Mr. Block and the case team negotiated a \$115 million agreement with the U.S. and Belgian affiliates of KPMG International. The recovery is among the largest settlements ever paid by an accounting firm in a securities action. Representing the Louisiana State Employees' Retirement System in the Bristol-Myers Squibb case, Mr. Block helped to recover \$300 million for the class. In addition, in the Philip Services Corp. case, Mr. Block and the case team negotiated a total \$79.5 million settlement. To date, that settlement includes the largest recovery ever obtained from a Canadian auditor.

Prior to joining Berman DeValerio, Mr. Block was associated with the New York law firm of Pomerantz Haudek Block & Grossman, representing shareholders in class actions brought under the federal securities laws and in state court actions involving claims of breaches of fiduciary duties by corporate directors.

C. Oliver Burt, III

A partner in the firm's West Palm Beach office, C. Oliver Burt focuses his practice on securities and derivative class action litigation.

Mr. Burt co-founded Burt & Pucillo LLP, a firm which merged with partnerships in Boston and San Francisco in 2001 to form Berman DeValerio Pease Tabacco Burt & Pucillo LLP. For decades, Mr. Burt has worked to defend the interests of investors and fight against corporate fraud.

During the course of his extensive career, Mr. Burt has taken a number of cases to trial and appeal to obtain recoveries for defrauded investors. In the White v. Heartland High-Yield Municipal Bond Fund et al. case, for example, following three weeks of trial against the funds' auditors, PricewaterhouseCoopers, Mr. Burt and the case team obtained an \$8.25 million settlement – an aggregate settlement of \$23.25 million for the

class. Mr. Burt was also trial co-counsel for plaintiffs in Peil v. Speiser, a securities class action tried to verdict in 1986, and argued the appeal. In its landmark opinion the Third Circuit Court of Appeals adopted the "fraud-on-the-market" presumption of reliance as the law of the Circuit. In addition, he was plaintiffs' lead trial counsel in Kumpis v. Wetterau and in Upp v. Mellon, which was tried to verdict in August 1992. He has argued appeals in class action cases in the Third, Eighth, Ninth, and Eleventh Circuits and the Delaware Supreme Court.

Prior to co-founding his firm in West Palm Beach in January 1994, Mr. Burt was a partner at a Philadelphia law firm and in private practice from 1977 to 1993. During that period of time, he tried many cases and was engaged in commercial litigation including antitrust, securities litigation, unfair competition, white-collar criminal cases, and general business litigation. During this time, Mr. Burt's tried cases include, Callan, et al. v. State Chemical Manufacturing Company, The Mader Group, Inc. v. Gekoski, et al., Beta Consultants & Administrators v. Centennial Life Ins. Co., and U.S. v. Natale, a criminal RICO case, among others.

From 1971 to 1977, Mr. Burt was an Assistant U.S. Attorney for the Eastern District of Pennsylvania. He was appointed Chief of the Civil Division of that office in 1973. As chief of the Civil Division of the U.S. Attorney's Office, he managed and tried many matters including the Grand Jury investigation concerning the bankruptcy of the Penn Central Railroad, United States v. Rosenbaum. That case was tried for approximately six weeks in the Federal District Court in Philadelphia in the winter of 1977. Before being promoted to chief, Mr. Burt was an Assistant U.S. Attorney for several years during which he prosecuted white-collar and other criminal cases involving securities fraud, mail fraud, wire fraud, "check-kiting," embezzlement of bank funds, interstate transportation of stolen motor vehicles, income tax evasion, bank robbery, drug trafficking, and other offenses.

In addition to his case work, Mr. Burt has been actively involved in a number of associations, authored materials, and lectured on a variety of legal topics. From 1972 through 1985, he was chairman of the Criminal Law Committee of the Philadelphia Bar Association Young Lawyers' Section Basic Legal Practice Course. He was an author and lecturer on various legal topics including co-authoring materials on punitive damages in the class action context and lecturing on that subject at the seminar "Litigating Punitive Damages" presented by the American Conference Institute in New York in May 1995.

Mr. Burt graduated from Swarthmore College with a B.A. in History and earned his J.D. from the University of Pennsylvania Law School.

Mr. Burt is a member of the Florida and Pennsylvania Bars, and is admitted to practice before the U.S. Supreme Court, the Third, Eighth, Ninth and Eleventh Circuit Court of Appeals and various Federal U.S District Courts. He is AV rated by Martindale-Hubbell.

Glen DeValerio

Glen DeValerio was a co-founder in 1982 of Berman DeValerio & Pease, LLP, one of the law firms that formed Berman DeValerio in 2001. A 1969 graduate of the University of Rhode Island, he received his law degree in 1973 from the Catholic University Law School and served on the *Catholic University Law Review's* editorial board for two years. In 1973 and 1974, he worked as a law clerk to the Honorable June L. Green, U.S. District Court for the District of Columbia.

Mr. DeValerio is a primary point of contact for many of the firm's public fund clients, including the Massachusetts Pension Reserves Investment Management Board, the Louisiana State Employees' Retirement System, the Oklahoma Firefighters Pension & Retirement System, the Oklahoma Police Pension & Retirement System, and the Pennsylvania State Employees' Retirement System.

Mr. DeValerio has prosecuted federal securities law violations, chiefly class and derivative actions, since the early 1970s – a total of 35 years of securities litigation experience. He devotes himself full-time to the firm's securities litigation practice.

A frequent lecturer on complex securities litigation issues, Mr. DeValerio speaks at continuing legal education seminars sponsored by groups such as PLI, ALI-ABA, and the Boston Bar Association. He served as the President of the National Association of Securities and Commercial Law Attorneys (NASCAT) from 1996 through 1998. He is AV rated by Martindale-Hubbell.

Mr. DeValerio is a member in good standing of the state bar of Massachusetts. He is also licensed to practice in the U.S. Districts Courts for the District of Columbia, Massachusetts, Delaware, New Hampshire, and Connecticut. He has also been admitted to practice in the First and Fourth Circuits of the U.S. Courts of Appeal.

Manuel J. Dominguez

Manuel J. Dominguez graduated with honors from the Florida State University Law School in 1995 and was a member of the *Transnational Journal of Law and Policy*. He received his undergraduate degree from Florida International University in 1991. Mr. Dominguez is admitted to practice law in the State of Florida as well as the U.S. District Courts for the Northern, Middle and Southern Districts of Florida.

Mr. Dominguez served as an assistant attorney general with the State of Florida from 1995 to 1997 in the Department of Economic Crimes. He participated in the prosecution and investigation of corporations and business entities for violations of Florida's RICO statute, Florida's antitrust statute, and Florida's Unfair and Deceptive Trade Practices Act. In private practice from 1997 through 2000, Mr. Dominguez litigated and tried cases involving Florida's Unfair and Deceptive Trade Practices Act, the Florida Consumer Collection Practices Act, Federal Debt Collection Practices Act, and Truth in Lending. Mr. Dominguez was named a partner at Berman DeValerio in 2006.

Kathleen M. Donovan-Maher

Kathleen M. Donovan-Maher focuses her work on Berman DeValerio's securities practice. Ms. Donovan-Maher was a principal attorney in Fannie Mae. She also served as discovery captain in In re: NASDAQ Market-Makers Antitrust Litig., 94cv3996 (S.D.N.Y.) and was a member of the trial team in In re: ICN/Viratek Sec. Litig., 87cv4296 (S.D.N.Y.) which settled for \$14.5 million when the jury deadlocked after a 1996 trial.

Other cases in which Ms. Donovan-Maher has played a chief role include, but are not limited to, Enterasys Networks and SkillSoft. Both cases settled for significant financial recoveries on behalf of public retirement systems, the Los Angeles County Employees Retirement Association and the Teachers' Retirement System of Louisiana, respectively. In addition to a monetary award, the Enterasys Networks settlement also included corporate governance improvements, requiring the company to back a proposal to eliminate its staggered board of directors, allow certain large shareholders to propose candidates to the board and expand the company's annual proxy disclosures.

Ms. Donovan-Maher graduated from Suffolk University in 1988, receiving a B.S. degree in Business Administration *magna cum laude* and earning an award for maintaining the highest grade point average among students with concentrations in Finance. She graduated from Suffolk University Law School three years later after serving for two years on the *Transnational Law Review*.

Ms. Donovan-Maher is a member in good standing of the state bar of Massachusetts. She is also admitted to practice law in the U.S. District Court for the Districts of Massachusetts, New Hampshire, Eastern District of Tennessee, Northern District of California, and the District of Columbia as well as the U.S. Court of Appeals for the First Circuit.

A frequent author on continuing legal education issues for such groups as ALI-ABA and PLI, Ms. Donovan-Maher is a member of Phi Delta Phi, Delta Mu Delta National Honor Society in Business Administration, and Omicron Delta Epsilon International Honor Society of Economics.

Patrick T. Egan

A partner in Boston, Patrick T. Egan focuses his practice on securities litigation.

Mr. Egan has worked on a number of important cases, including Lernout & Hauspie and the related case, Quaak v. Dexia, S.A. Those cases stem from a massive accounting fraud scheme at Lernout & Hauspie Speech Products, N.V., a bankrupt Belgian software company. As co-lead counsel, the firm recovered more than \$180 million on behalf of former Lernout & Hauspie shareholders.

Prior to joining the firm in 1999 and being named partner in 2006, Mr. Egan worked at the U.S. Department of Labor, where he served as an attorney advisor for the Office of Administrative Law Judges.

Mr. Egan received a B.A. in Political Science *cum laude* from Providence College in 1993. In 1997, he graduated *cum laude* from Suffolk University Law School. While at Suffolk, Mr. Egan served on the editorial board of the *Suffolk University Law Review* and authored a note entitled, "Virtual Community Standards: Should Obscenity Law Recognize the Contemporary Community Standard of Cyberspace" 30 *Suffolk University L. Rev.* 117 (1996).

Mr. Egan is admitted to practice law in the Commonwealth of Massachusetts, Connecticut, and New York, as well as the U.S. District Court of Massachusetts. He is also admitted to practice before the U.S. Courts of Appeals in the First and Fourth Circuits.

Christopher T. Heffelfinger

Christopher T. Heffelfinger is a 1984 graduate of the University of San Francisco School of Law, where he was a member of the law review. He graduated from Claremont Men's College in 1977 with a B.A. in Economics. He has an AV rating from Martindale-Hubbell. He specializes in corporate, securities, derivative, and antitrust litigation, and has acted as a principal attorney in a number of such cases. Prior to joining the firm, he was associated with the San Francisco firm of Gold & Bennett from 1990 to 1994, where he practiced securities and bankruptcy litigation. Before that, he practiced securities litigation and bankruptcy law for five years with a small firm in Marin County with an emphasis on Chapter 11 reorganizations, representing both debtors and creditors. He has litigated securities cases involving real estate limited partnerships, the mortgage banking and insurance industries and companies engaged in the high-tech arena where the allegations involved both non-disclosed product problems and accounting fraud issues.

Mr. Heffelfinger has lectured on discovery as a panelist in the Federal Court Northern District of California Practice Program. In addition, he served as a captain (infantry) in the U.S. Marine Corps from 1990 to 1991, when he was recalled to active duty in support of Operations Desert Shield/Storm.

Nicole Lavallee

A partner in San Francisco, Nicole Lavallee focuses her practice on securities and derivative litigation and is an integral member of the firm's case evaluation and monitoring team for public pension and union fund clients. The team investigates potential securities law violations to determine whether a case meets the firm's exacting standards.

Ms. Lavallee is currently prosecuting a number of actions on behalf of defrauded investors. For example, she is a lead attorney representing the Louisiana Municipal Police Employees' Retirement System, one of the co-lead plaintiffs, in the KLA-Tencor Corp.

class action in which a proposed settlement of \$65 million has been reached. Plaintiffs in the case allege that the company backdated stock option grants, issued false and misleading statements regarding grants to key executives and directors and inflated the company's financial results by understating expenses associated with the backdated options. KLA recently restated several years of financial results by over \$375 million.

Ms. Lavallee has been responsible for the prosecution of a number of the firm's high-profile securities fraud cases. She recently represented the pension funds of Colorado, Minnesota and Utah in a successful opt-out action against McKesson/HBOC brought in San Francisco Superior Court. Though the details of the settlement are confidential, these clients obtained results that far exceed their pro-rata share of the corresponding class action. She was also the partner responsible for the day-to-day prosecution of a derivative insider trading action against Lawrence J. Ellison, the Chief Executive Officer of Oracle Corporation, which resulted in changes to the company's insider trading policies. As part of the 2005 settlement negotiated by plaintiffs' counsel, Mr. Ellison agreed to make \$100 million in charitable donations in Oracle's name and pay plaintiffs' attorneys' fees and expenses. At the hearing on summary judgment, the Court praised Ms. Lavallee's work, stating: "Ms. Lavallee, I just wanted to tell you I thought your brief was excellent."

Ms. Lavallee is a 1989 graduate of the French Civil Law School at Université de Montréal in Canada and obtained her Common Law degree from Osgoode Hall Law School in Toronto.

Ms. Lavallee is admitted to practice law in the State of California. She is AV rated by Martindale-Hubbell.

Peter A. Pease

A partner in the firm's Boston office, Peter A. Pease has spent more than 30 years litigating cases for violations of the federal securities and antitrust laws, and state unfair trade practices claims.

Mr. Pease has served as lead counsel in many securities fraud class actions, prevailing in claims against companies in the automotive, biotech, banking, energy, high tech, internet, medical equipment and devices, software, telecommunications, and other industries. He has led many successful prosecutions of accounting firms and investment bankers.

Mr. Pease has lectured at various bar association CLE programs, trade association annual meetings and the Sloan School of Management at MIT. He has appeared frequently in the print and broadcast media. He served as an editor of the American Bar Association's *Franchise Law Journal*, 1986-89. Mr. Pease is the executive editor of the *Securities Fraud Monitor*, the firm's newsletter for clients and friends.

Mr. Pease is chair of the Board of Directors of Bay Cove Human Services, Inc., having served as a director since 2000. Bay Cove serves more than 12,000 individuals and their families each year at more than 80 different program sites, providing treatment for mental illness, developmental disabilities, addiction disorders, homelessness, early intervention

learning programs and services for seniors. He was elected to the Town of Upton Planning Board 1980-86, and served as chair 1981-85. He served six years as a deacon of the First Parish Church in Lincoln.

He received a B.A. from the University of Denver in 1972 and a J.D. from Suffolk University Law School in 1976. He is admitted to practice in Massachusetts, the U.S. District Courts of Massachusetts and the Eastern District of Michigan, and the U.S. Courts of Appeals for the First and Third Circuits. His effective and successful advocacy has elicited favorable judicial comment in courts throughout the nation.

Michael J. Pucillo

Michael J. Pucillo is the managing partner of the firm's West Palm Beach office. A member of the Florida Bar since 1978, he is admitted to practice before the U.S. Court of Appeals for the Fifth and Eleventh Circuits, and the U.S. District Courts for the Southern and Middle Districts of Florida, and the District of Arizona.

He has been active in numerous class actions and shareholder derivative actions throughout the United States since 1989. He acted as sole lead counsel in In re: UCAR International, Inc. Sec. Litig., 98cv0600-JBA (D. Conn.), an action in which the Florida State Board of Administration was the lead plaintiff. That action settled in 2000 for a \$40 million cash payment and the right to appoint a new member to UCAR's Board of Directors, one of the first times such significant corporate governance relief was achieved as part of a securities class action.

A graduate of Williams College in 1975 and Georgetown University Law School in 1978, Mr. Pucillo worked as law clerk to two federal judges before serving as an enforcement attorney with the U.S. Securities and Exchange Commission in Washington D.C. Mr. Pucillo has lectured frequently on class actions and litigation. In 1994, he became a member of the faculty of the College of Advanced Judicial Studies ("AJS"), where he taught "Managing the Complex Civil Case" to Florida circuit court judges in 1994 and in 1996. He taught again at the 2002 AJS. A member of the Academy of Florida Trial Lawyers, he has lectured for the Academy on class actions and on recent developments in commercial and business tort litigation. He served as president of the Gold Coast Chapter of the Federal Bar Association during 1989-1990, and served from 1994 to 1997 as chairman of the Palm Beach County Bar Association Federal Court Practice Committee. He also appeared on the PBS Nightly Business Report on issues relating to investor fraud.

Todd A. Seaver

A partner in the San Francisco office, Todd A. Seaver focuses on antitrust litigation and is a member of the practice group's antitrust new case development team. The team investigates potential antitrust violations to determine whether a case has merit.

Mr. Seaver is currently working on several antitrust cases, including New Motor Vehicles Canadian Export Antitrust Litig., an antitrust action alleging that major auto

manufacturers unlawfully conspired to stop export of cheaper Canadian new vehicles into the United States for use or resale. The case has partially settled with Toyota Motor Sales U.S.A. for \$35 million. The settlement requires court approval.

Mr. Seaver has worked on a number of the firm's high-profile cases including Cardizem CD, a generic drug competition case that settled for \$80 million with Aventis Pharmaceuticals and Andrx Corporation.

Mr. Seaver was previously associated with the law firm Devine, Millimet & Branch, P.A., where he practiced commercial litigation. He was also an adjunct Professor of Law with the New England School of Law in 2003.

Todd A. Seaver graduated *magna cum laude* from Boston University in 1994 with a B.A. in International Relations. He earned a M.Sc. from the London School of Economics in 1995, and graduated *cum laude* from the American University Washington College of Law in 1999. While in law school, Mr. Seaver served as a law clerk at the Federal Trade Commission's Bureau of Competition and as a judicial extern for the Honorable Ricardo M. Urbina of the U.S. District Court for the District of Columbia.

Mr. Seaver was admitted to the New Hampshire Bar in 1999 and the Massachusetts Bar in 2000. He is also a member of the American Bar Association's Antitrust Section.

Leslie R. Stern

A partner in Boston, Leslie R. Stern heads the case evaluation and monitoring team for institutional clients. The team investigates potential securities law violations to determine whether a case meets the firm's exacting standards.

In addition to leading the case development team, Ms. Stern also works on securities matters, such as the Carlson v. Xerox Corp. class action, in which Berman DeValerio represented the Louisiana State Employees' Retirement System as co-lead counsel. The action recently received preliminary court approval for a \$750 million settlement. If the settlement receives final court approval in October 2008, the recovery will be one of the top ten securities class action settlements since the passage of the Private Securities Litigation Reform Act of 1995.

Prior to joining Berman DeValerio in 1998 and being named partner in 2003, Ms. Stern practiced general civil litigation. She earned a B.S. degree in Finance from American University in 1991 and graduated *cum laude* from Suffolk University Law School in 1995. While at Suffolk, Ms. Stern served on the *Suffolk University Law Review's* editorial board and authored three publications.

Ms. Stern has been admitted to practice law in the Commonwealth of Massachusetts and the U.S. District Courts of Massachusetts and Northern California. She has also been admitted to practice in the First and Fourth Circuits of the U.S. Court of Appeals.

Joseph J. Tabacco, Jr.

Joseph J. Tabacco, Jr. is the managing partner of Berman DeValerio's San Francisco office. A 1974 honors graduate of George Washington University School of Law, he actively litigates antitrust, securities fraud, commercial high tech, and intellectual property matters.

Mr. Tabacco is a primary point of contact for many of Berman DeValerio's institutional clients, including the California State Teachers' Retirement System and the California Public Employees' Retirement System, and Offices of the Attorneys General of Alaska, Michigan, and other states.

Since entering private practice in the early 1980s, Mr. Tabacco has served as trial or lead counsel in numerous antitrust and securities cases and has been involved in all aspects of state and federal litigation. Prior to 1981, Mr. Tabacco served as senior trial attorney for the U.S. Department of Justice, Antitrust Division, and in both the Central District of California and the Southern District of New York. In that capacity, he had major responsibility for several criminal and civil matters, including the antitrust trial of U.S. v. IBM. Since entering private practice, he has tried a number of securities actions, including Gutman v. Howard Savings Bank and In re: Equitec Sec. Litig.

Mr. Tabacco is currently overseeing a number of securities and antitrust cases, including the KLA-Tencor Corp. class action; In re: New Motor Vehicles Canadian Export Antitrust Litig., a massive antitrust case against the large auto manufacturers; and a class action against diamond giant DeBeers.

In addition to his role providing legal counsel to public pension and union fund clients, Mr. Tabacco is an independent director of Overstock.com, a publicly traded company, and serves on its Audit and Compensation Committees. He also frequently lectures and authors articles on securities and antitrust law issues and is a member of the Advisory Board of the Institute for Consumer Antitrust Studies at Loyola University Chicago School of Law. Mr. Tabacco is also a former teaching fellow of the Attorney General's Advocacy Institute in Washington, D.C., and has served on the faculty of ALI-ABA on programs about U.S.-Canadian business litigation and trial of complex securities cases.

Mr. Tabacco was recently recognized and featured by the *Daily Journal* as one of California's top 30 securities litigators, a group chosen from both the plaintiff and defense bars. Additionally, for three consecutive years, Mr. Tabacco has been named a Super Lawyer by *Northern California Super Lawyer Magazine*, which features the top 5% of attorneys in the region. He is AV rated by Martindale-Hubbell.

Mr. Tabacco has been admitted to practice law in the states of California, Massachusetts, New York, and the District of Columbia.

Wendy H. Zoberman

Wendy H. Zoberman, a partner in the firm's West Palm Beach office, focuses her practice on securities litigation. Since 1990, Ms. Zoberman has prosecuted numerous securities class actions and derivative actions throughout Florida and in other jurisdictions.

Ms. Zoberman regularly represents institutional investors. Examples include the Municipal Police Employees' Retirement System of Louisiana against Reliant Energy, Inc. and the Florida State Board of Administration in shareholder actions involving Sensormatic Electronics Corporation and Sykes Enterprises, Inc. The latter two litigations resulted in what were, at that time, among the largest securities class action settlements in Florida – \$53.3 million and \$30 million, respectively.

Additionally, Ms. Zoberman participated in the UCAR International, Inc. securities case, one of the first times significant corporate governance relief was achieved as part of a securities class action. The UCAR case, where the Florida State Board of Administration was lead plaintiff, settled for a \$40 million cash payment and the right to appoint a new member to UCAR's Board of Directors.

Ms. Zoberman is a 1981 graduate of Wellesley College, where she was a Durant Scholar, and was elected to the Phi Beta Kappa Society. She received her law degree from Columbia University in 1984. At Columbia she served as an Articles Editor of the *Columbia University-Volunteer Lawyers for the Arts Journal of Art and the Law*, and is a co-author of "An Introduction to the New York Artists' Authorship Rights Act," appearing at Vol. 8, No. 3 *Columbia - VLA Journal of Art and the Law* 369.

Ms. Zoberman is admitted to practice before the U.S. District Court for the Middle and Southern Districts of Florida, the Southern District of New York as well as all Florida State Courts.

ASSOCIATES

Julie J. Bai

An associate in San Francisco, Julie J. Bai is a member of the firm's new case evaluation and monitoring team for institutional clients. The team investigates potential securities law violations to determine whether a case meets the firm's exacting standards.

Ms. Bai currently works on numerous antitrust and securities litigation cases, including Reformulated Gasoline Antitrust and Patent Litigation, Marvell Technology Group, and International Rectifier.

Prior to joining Berman DeValerio in 2004, Ms. Bai, a Certified Public Accountant, worked as a business assurance associate and senior tax accountant at two major public accounting firms. She earned a B.S. in Economics and a minor in Japanese from the University of Pennsylvania,

Wharton School of Business in 1995. In 2003, she received her J.D. from the University of California, Davis, School of Law. While in law school, Ms. Bai worked on family law matters with low-income victims of domestic violence at the Family Protection Clinic in Woodland, California.

Ms. Bai is admitted to practice law in California and is a member of the American Bar Association and San Francisco Bar Association.

Kyle G. DeValerio

An associate in West Palm Beach, Kyle G. DeValerio is a member of the new case evaluation and monitoring team for institutional clients. The team investigates potential securities law violations to determine whether a case meets the firm's exacting standards.

In addition to serving as a member of the new case team, Mr. DeValerio works on ongoing litigation, such as Carlson v. Xerox Corp., which recently received preliminary court approval for a \$750 million settlement. If the settlement receives final court approval in October 2008, the recovery will be one of the top ten securities class action settlements since the passage of the Private Securities Litigation Reform Act of 1995.

Prior to joining the firm as an associate in 2004, Mr. DeValerio worked as a legal intern in the Civil Division of the U.S. Attorney's Office in Boston.

Mr. DeValerio graduated from Colby College in 1999 with a B.A. in Government. While in college, he spent a year studying European politics and the English legal System at the London School of Economics and Political Science. He received his J.D. in 2004 from the Suffolk University School of Law. During law school, Mr. DeValerio participated in the Irving R. Kaufman Memorial Securities Law Moot Court Competition.

Mr. DeValerio is admitted to practice law in the Commonwealth of Massachusetts, the state of Florida and the U.S. District Court of Massachusetts. He is also a member of the Palm Beach County Bar Association.

Jay W. Eng

An associate in the West Palm Beach office, Jay W. Eng is a member of the firm's case evaluation and monitoring team for institutional clients. He regularly coordinates investigations to determine whether a potential case has merit.

In addition to his work investigating possible securities law violations, Mr. Eng recently worked to help secure settlements totaling \$285 million in the El Paso Corp. securities litigation. He also served on the team prosecuting the Reliant Sec. Litig., which achieved a settlement of \$75 million. In 2005, Mr. Eng assisted in one of the few securities class action jury trials against the auditor of the fund manager in White v. Heartland High-Yield Municipal Bond Fund.

Prior to joining the firm in 2002, Mr. Eng worked as a commercial litigation associate at Carlton Fields, P.A. He also served as a judicial law clerk for Magistrate Judge Ann E. Vitunac, of the U.S. District Court of Southern Florida, and as a trial court law clerk for the 15th Judicial Circuit Court in Palm Beach County, Florida.

Mr. Eng graduated from Florida State University in 1994 with a B.S. in Economics. In 1998, he graduated from Tulane Law School with a J.D. and certificate of specialization in maritime law. While at Tulane, he was awarded the book award for his top grade in Contracts II – the Uniform Commercial Code. He also served as a Notes and Comments Editor to the *Tulane Maritime Law Journal* and authored a note entitled, “The ‘Something More’ Requirement under Section 5(b) of the Longshore Act: Singleton v. Guangzhou Ocean Shipping Co.,” 21 *Tul. M. L.J.* 205 (1996).

A member of the Federal Bar Association and the Palm Beach County Bar Association, Mr. Eng has been admitted to practice in the state of Florida, as well as the U.S. District Courts for the Southern, Middle and Northern Districts of Florida and the Eastern District of Wisconsin. He has also been admitted to practice in the Eleventh U.S. Circuit Court of Appeals.

Audley H. Fuller

An associate in the firm’s Boston office, Audley H. Fuller focuses his practice on securities litigation.

Mr. Fuller recently worked on the Carlson v. Xerox Corp. litigation, which recently received preliminary court approval for a \$750 million settlement. If the settlement receives final court approval in October 2008, the recovery will be one of the top ten securities class action settlements since the passage of the Private Securities Litigation Reform Act of 1995.

Mr. Fuller worked on the Philip Services Securities Litigation, a class action which recently settled for \$79.75 million. To date, that settlement includes the largest recovery ever obtained from a Canadian auditor. Mr. Fuller also worked on the Reliant Securities Litigation in which the firm represented the Municipal Police Employees’ Retirement System of Louisiana and negotiated a \$75 million cash settlement from the company and Deloitte & Touche LLP. The Court granted final approval of the settlement in January 2006.

Prior to joining Berman DeValerio in 2005, Mr. Fuller was a litigation associate with Fitzhugh, Parker & Alvaro, where he successfully tried several cases to verdict in state and federal courts. He was also an associate at Bourbeau, Tocchio & Floyd LLP, where he focused on general litigation matters.

Mr. Fuller began his legal career as an assistant district attorney for Middlesex County, Massachusetts, where he prosecuted major felony trials in Superior Court. He also

represented the Commonwealth of Massachusetts before its appellate courts.

Mr. Fuller graduated *cum laude* from the University of Hartford in 1981, earning a B.A. as a double major in English and Mass Communications. In 1985, he earned his J.D. from Boston College Law School.

He is admitted to practice law in the Commonwealth of Massachusetts, the U.S. District Court of Massachusetts and the U.S. Supreme Court. He is also a member of the Massachusetts Bar Association.

Lesley Ann Hale

An associate in the San Francisco office, Lesley Ann Hale focuses her practice on securities and antitrust litigation and is a member of the firm's case evaluation and monitoring team for institutional clients. She regularly coordinates stock options backdating investigations.

Ms. Hale is currently working on numerous cases, including KLA-Tencor Corp. Representing Louisiana Municipal Police Employees' Retirement System, Berman DeValerio is liaison counsel and an executive committee member in the KLA-Tencor Corp. case. Plaintiffs allege that the corporation backdated stock option grants to the individual defendants to provide them with a more profitable exercise price. Ms. Hale supports all aspects of the case.

In the past, she has also worked on cases such as JDS Uniphase Corp., DRAM Antitrust, Flash Memory Antitrust and Abbott Laboratories Norvir Antitrust. Notably, the DRAM case, which prosecutes the world's largest manufacturers of Dynamic Random Access Memory (DRAM) chips, settled for a total of nearly \$326 million. Ms. Hale assisted in depositions and helped to prepare expert witnesses.

Prior to joining Berman DeValerio in 2005, Ms. Hale served as a senior motions attorney for the Ninth Circuit U.S. Court of Appeals in San Francisco. While at the court, she worked on a "discriminatory pay and promotion policy" class action lawsuit in Dukes v. Walmart and a preliminary injunction appeal challenging the government's "stop-loss" policy in John Doe v. Rumsfeld. Ms. Hale has also served as a special assistant U.S. attorney for the U.S. Attorney's Office in the District of Columbia and as a trial Attorney in the Criminal Enforcement Section of the U.S. Department of Justice Tax Division.

Ms. Hale graduated *cum laude* with a B.A. in Government from Harvard College in 1993, where she was named to the Dean's List (1991-1992) and received the Harvard College Scholarship and the Elizabeth C. Agassiz Merit Award, both for academic achievement. In 1998, Ms. Hale received her J.D. from Georgetown University Law Center. While studying at Georgetown, she worked as an assistant to a partner at Russell & Russell P.C., drafting pleadings and conducting legal research, and represented domestic violence victims in the District of Columbia Superior Court.

Ms. Hale is admitted to practice law in the state of California as well as the U.S. District Courts of Northern and Central California. She is also an active member of the San Francisco Bar Association.

James C. Magid

An associate in the firm's San Francisco office, James C. Magid focuses his practice on antitrust and securities litigation.

Mr. Magid currently works on numerous securities and antitrust cases, including, GenesisIntermedia, Inc., NVIDIA, and Abbott Laboratories Norvir Antitrust. The class action against Abbott Laboratories accuses the pharmaceutical giant of monopolistic practices and a drug price-fixing scheme to overcharge thousands of people living with HIV.

Prior to joining the firm, Mr. Magid worked as a staff attorney for the Ninth Circuit U.S. Court of Appeals. He earned a B.A., with honors, from the University of California at Berkeley in 2000, majoring in Political Economy of Industrial Societies. Mr. Magid received his J.D. in 2004 from the University of California, Hastings College of the Law. While at Hastings, he earned a number of honors, including the William J. Riegger Memorial Student Prize for outstanding work in international law and the Class of 1969 Scholarship, for demonstration of leadership in community service. He also participated in the spring 2003 Jessup International Law Moot Court Competition and was Notes Editor for the *Hastings' Constitution Law Quarterly*, from 2003-2004.

Mr. Magid is admitted to practice law in the state of California.

Richard F. Malloy, Jr.

An associate in the Boston office, Richard F. Malloy, Jr. focuses his practice on securities litigation.

Mr. Malloy currently works on the Xcelera.com litigation, a class action alleging that the company and certain of its officers issued materially false and misleading statements causing Xcelera's common stock to be artificially inflated throughout the class period. Mr. Malloy also worked on the Philip Services securities litigation team, a class action which recently settled for \$79.75 million.

Prior to joining Berman DeValerio in 2005, Mr. Malloy worked as a consultant and project manager for Tufts and Harvard Universities, where he coordinated the LCME reaccreditation of both premier medical schools, and served on numerous planning committees and task forces. He has also worked as an advocate at the New England Center for Homeless Veterans and clerked at Adelson, Loria & Weisman, PC, formerly known as Adelson, Goden & Loria, PC, where he practiced in the areas of bankruptcy and real estate law.

Mr. Malloy graduated from the University of North Texas in 1991 with a B.A. in Philosophy and Religion and a minor in Music Performance. He earned a J.D. from Suffolk University Law School in 1994, where he received the Award for Outstanding Oral Advocacy in the first-year mock trial competition.

Mr. Malloy is admitted to practice law in the Commonwealth of Massachusetts.

Nathaniel L. Orenstein

An associate in the firm's Boston office, Nathaniel L. Orenstein focuses his practice on securities litigation.

Prior to joining Berman DeValerio, Mr. Orenstein was a staff attorney for the Office of the Secretary of the Commonwealth of Massachusetts, Securities Division. While there, he monitored companies, investigated matters and pursued enforcement actions to detect and prevent fraud at hedge funds and related companies. Mr. Orenstein was also the lead attorney on many investigations and actions against broker-dealers, investment advisors, and others.

In addition to his work for the Commonwealth, Mr. Orenstein served as a member of the mutual fund and insurance brokerage investigation teams for the Office of the New York State Attorney General's Investment Protection Bureau. He assisted with aspects of the Bureau's investigation work including, strategic planning, discovery, and settlement negotiation.

Prior to obtaining his J.D. from the New York University School of Law in 2005, Mr. Orenstein was a policy analyst, and subsequently promoted to associate director, for the Center for Insurance Research, a consumer advocacy organization. In these roles he participated in complex litigation matters. He also testified in regulatory and legislative proceedings on behalf of policyholders concerning market conduct and insurance rate setting.

In addition to Mr. Orenstein's legal practice at Berman DeValerio, he is on the Board of Directors for the Center for Insurance Research and Washington Square Minyan.

Mr. Orenstein is admitted to practice law in the Commonwealth of Massachusetts.

Matthew D. Pearson

An associate in the San Francisco office, Matthew D. Pearson focuses his practice on antitrust litigation.

Mr. Pearson is currently working on several antitrust cases including the New Motor Vehicles Canadian Export Antitrust Litigation, an antitrust action alleging that major auto manufacturers unlawfully conspired to stop the export of cheaper Canadian new vehicles into the United States for use or resale. The case has partially settled with Toyota Motor Sales, U.S.A., Inc. for \$35 million. The settlement requires court approval.

Prior to joining Berman DeValerio in 2005, Mr. Pearson earned a B.A. in political science in 1999 from the University of California, Los Angeles, and a J.D. in 2004 from the University of California, Davis, School of Law. While in law school, Mr. Pearson completed the King Hall Public Service Law Program and worked as a legal intern assigned to a felony trial team at the Sacramento County District Attorney's Office.

Mr. Pearson has been admitted to practice law in the State of California as well as the U.S. District Courts for the Northern, Central, and Southern Districts of California.

Abigail R. Romeo

An associate in the firm's Boston office, Abigail R. Romeo focuses her practice on securities litigation.

Ms. Romeo is currently a case team member in an ERISA case against State Street Bank and Trust, Co. and State Street Global Advisors, Inc. accusing the financial service giant of breaching its fiduciary duties. She also conducts case investigations to determine whether a potential case meets the firm's exacting standards, assists with lead plaintiff filings and other legal research.

Ms. Romeo worked extensively on the Carlson v. Xerox Corp. litigation, which recently received preliminary court approval for a \$750 million settlement. If the settlement receives final court approval in October 2008, the recovery will be one of the top ten securities class action settlements since the passage of the Private Securities Litigation Reform Act of 1995. Ms. Romeo helped manage the discovery process of the case.

Prior to joining Berman DeValerio in 2005, Ms. Romeo worked as a litigation associate with Edwards Angell Palmer & Dodge, LLP in Boston and as a legal intern with the U.S. Department of Justice, Executive Office for Immigration Review.

Ms. Romeo earned a B.A. in Government from Skidmore College in 2000, graduating *summa cum laude*. In 2003, she earned a J.D. *magna cum laude* from Pepperdine University School of Law, where she received the Witkin Award for Academic Excellence in Contracts I, Torts II, and Evidence. Ms. Romeo was also editor of the *Pepperdine Law Review*.

She is admitted to practice law in the Commonwealth of Massachusetts and the U.S. District Courts of Massachusetts and Connecticut. She is also a member of the American Bar.

Katherine Skubecz

An associate in the firm's Boston office, Katherine Skubecz focuses her practice on securities litigation.

Prior to joining Berman DeValerio, Ms. Skubecz worked as a litigation associate with Montgomery, McCracken, Walker & Rhoads, LLP, in Philadelphia. She was also a legal intern for the Honorable James Gardner Colins in Pennsylvania Commonwealth Court.

Ms. Skubecz earned a B.A. in comparative literature and French from the University of Pennsylvania as well as a J.D. from the University of Pennsylvania Law School. While in law school, she received the James Wilson Scholarship for academic merit.

She is admitted to practice law in the Commonwealth of Pennsylvania, the U.S. District Court for the Eastern District of Pennsylvania, and the U.S. Court of Appeals, Third Circuit.

Ms. Skubecz was also recently an executive committee member of Young Lawyer's Division of the Philadelphia Bar Association.

Autumn Smith

An associate in the Boston office, Autumn Smith focuses her practice on securities litigation.

Prior to joining the firm in 2006, Ms. Smith served as a law clerk to Chief Justice Frank J. Williams, Rhode Island Supreme Court, before joining Rubin and Rudman, LLP as a litigation associate in 2004. There, she worked on a range of complex commercial litigation cases, including securities and environmental matters.

Ms. Smith graduated *cum laude* in 2000 from Wellesley College with a B.A. in Political Science and Peace and Justice Studies. She earned honors in Political Science and the Eleanor Scheff Kaplan Fund grant in Jewish Studies. She received her J.D. in 2003 from Boston University School of Law. During law school, Ms. Smith served as a research assistant, participated in the Stone Moot Court and the J. Braxton Craven Constitutional Law Moot Court and volunteered for the Mental Health Legal Advisors Committee.

Ms. Smith is admitted to the Massachusetts and New York Bars and is an active member of the Younger Lawyers Division of the Federal Bar Association.

Kristen D. Tremble

An associate in the firm's Boston office, Kristen D. Tremble focuses her practice on securities litigation.

Prior to joining Berman DeValerio, Ms. Tremble was an associate at Jorden Burt LLP where she was a member of the firm's appellate, class action and national trial practice teams.

Ms. Tremble graduated *cum laude* from American University in 1999, earning a B.A. in education. She earned her J.D. from Catholic University of America, Columbus School of Law in 2002, also with *cum laude* distinction.

While in law school, Ms. Tremble was the associate editor of the *Catholic University Law Review* and a member of the Securities Law Students Association. She was also an intern in the U.S. Securities and Exchange Commission, Division of Enforcement, Observer Program.

Ms. Tremble is admitted to practice law in the State of Maryland and the District of Columbia.

Bryan A. Wood

An associate in Boston, Bryan A. Wood focuses his practice on securities litigation and is a member of the firm's case evaluation and monitoring team for institutional clients.

In addition to his work investigating possible securities law violations, Mr. Wood works on a number of securities matters. For example, he recently worked extensively on the Carlson v. Xerox Corp. litigation. In this case, representing the Louisiana State Employees' Retirement System, Berman DeValerio recently received preliminary court approval for a \$750 million settlement. If the settlement receives final court approval in October 2008, the recovery will be one of the top ten securities class action settlements since the passage of the Private Securities Litigation Reform Act of 1995. Mr. Wood was responsible for managing and supervising the firm's discovery process in the Xerox case.

Prior to joining Berman DeValerio in 2002, Mr. Wood was a litigation associate at both Montgomery, McCracken, Walker & Rhoads, LLP in Philadelphia and Schnader Harrison Segal & Lewis in Boston. As an associate at those firms, he represented corporations and directors in shareholder and other class action lawsuits. He also represented businesses and municipalities in general contract and employment discrimination cases.

Mr. Wood graduated *cum laude* from the University of Massachusetts in 1991 with a B.A. in Sociology. In 1995, he earned an M.S. *summa cum laude* in Public Policy from the Eagleton Institute of Politics at Rutgers University and graduated *cum laude* from the Temple University School of Law in 1998. While in law school, he was the Managing Editor of the *Temple Law Review* and a board member of the Temple Law Moot Court Honor Society. In addition, Mr. Wood completed a one-year internship for the Honorable Edward R. Becker, then Chief Judge for the U.S. Court of Appeals for the Third Circuit.

In 2007, *Massachusetts Super Lawyers* magazine named him a "Rising Star" in recognition of his expertise and work in securities litigation.

Mr. Wood is admitted to practice law in the Commonwealths of Massachusetts and Pennsylvania (voluntarily inactive as of 2005). He is also admitted to the U.S. District Courts for the Districts of Massachusetts, Colorado, and Eastern Pennsylvania, as well as the U.S. Court of Appeals for the First Circuit. He is also a member of the Boston Bar Association and the American Bar Association.

SPECIAL COUNSEL

Kevin Shelley

Kevin Shelley, special counsel to the firm, is a former California Secretary of State and State Assembly leader recognized as an advocate for working people, consumers, and investors.

Mr. Shelley's political career began in 1990, when he won a seat on the San Francisco Board of Supervisors. Elected to the California State Assembly in 1996, he championed the rights of workers and fought to protect civil liberties. Among his accomplishments, he improved staff-to-patient ratios at nursing homes, drafted new corporate accountability requirements and created a restitution fund for victims of corporate fraud.

Mr. Shelley, who spent five of his six years in the State Assembly as majority leader, won election for Secretary of State in November 2002. As the state's chief election officer, he is credited with improving voter participation and restoring public confidence.

Since 2005, Mr. Shelley has been representing consumers and plaintiffs in civil litigation. He began working with Berman DeValerio in 2006. He earned a B.A. in political science from the University of California-Davis and a law degree from the University of California Hastings College of Law in 1983. A member of the California Bar, he is the son of Jack Shelley, a former Mayor of San Francisco, U.S. congressman and California state senator.

OF COUNSEL

Anne F. O'Berry

Since joining the firm in 2000, Anne O'Berry (formerly Anne Jacobs) has helped litigate over 50 cases, including several resulting in substantial recoveries for institutional investors, such as El Paso, Reliant, Sykes, and Worldcom. In addition to her securities litigation work, she has assisted in several antitrust and consumer protection cases as well.

Earlier in her career, Ms. O'Berry was a commercial litigation associate with the New York firm of Debevoise & Plimpton and served as Secretary of the Civil Rights Committee of the Association of the Bar of the City of New York. She also worked as a

staff attorney for a federally funded agency representing death row inmates in complex federal and state post-conviction litigation, as co-director of the Battered Women's Clemency Project in Tallahassee, Florida, as a staff attorney at the Fourth District Court of Appeal in West Palm Beach, Florida, and as an adjunct professor at St. Thomas University Law School, where she taught Race and the American Legal Process, and Interviewing, Counseling, and Negotiating.

Ms. O'Berry obtained her B.A. in Sociology and Political Science from the University of Pennsylvania in 1983, graduating *summa cum laude* and Phi Beta Kappa. She earned her J.D. from New York University Law School in 1986, where she was an Articles Editor on the Annual Survey of American Law and authored the article, "Prisoners' Rights: Judicial Deference to Prison Administrators," 1985 *Annual Survey of American Law* 325. Additionally, she served as Student Director of the Women in Prison Project at Rikers Island, participated in the Civil Rights clinical program at NYU, and interned as a law clerk for the Honorable Abraham D. Sofaer of the U.S. District Court for the Southern District of New York.

Following law school, Ms. O'Berry served as a Law Clerk to the Honorable Dickinson R. Debevoise of the U.S. District Court for the District of New Jersey, and then as a research and teaching associate to the Honorable A. Leon Higginbotham, Jr. of the U.S. Court of Appeals for the Third Circuit, with whom she co-authored, "'The Law Only As An Enemy': The Legitimization of Racial Powerlessness Through the Colonial and Antebellum Criminal Laws of Virginia," *North Carolina Law Review*, Vol. 70, No. 4 (April 1992).

Ms. O'Berry is admitted to the New York and Florida Bars, the U.S. District Courts for the Southern and Eastern Districts of New York and Southern District of Florida, and the U.S. Supreme Court. She is a member of the Appellate Practice Section of the Florida Bar, the Palm Beach County Bar Association, and the U.S. Green Building Council's South Florida Chapter.

OTHER KEY PERSONNEL

Christopher A. Szechenyi, Director of Investigations

Christopher A. Szechenyi is the firm's director of investigations. During the past five years at the firm, Mr. Szechenyi and his team of investigators have worked on many cases that have resulted in significant client recoveries, including suits against Symbol Technologies, Bristol-Myers, and Toyota Motor Sales.

Prior to joining the firm, he worked for 60 Minutes as a Paris-based producer, investigating stories all over the world for correspondent Mike Wallace. He also has conducted investigations for Dateline NBC, A&E, and the Discovery Channel and has contributed stories to *The New Yorker* magazine and *The Boston Globe*. During his 25 years in journalism, he received more than two dozen journalism awards, including two

regional Emmys and national recognition from Investigative Reporters and Editors. Among other things, he has exposed a pattern of deadly safety violations on a giant construction project, uncovered design flaws in defibrillators and, after 9/11, interviewed Osama Bin Laden's half-brother. He earned a B.A. in journalism from Lehigh University in 1975. Mr. Szechenyi is an adjunct professor of journalism at Emerson College in Boston.

Jeannine M. Scarsciotti, Senior Paralegal

Jeannine M. Scarsciotti is Berman DeValerio's senior paralegal and, as such, oversees and coordinates all paralegal projects as well as the portfolio monitoring and loss calculations for the firm's institutional clients. She joined the firm as a paralegal in 1995. Ms. Scarsciotti attended Bentley College, graduating, summa cum laude, in 1995. She earned a B.S. in Professional Studies and an ABA-Accredited Certificate of Paralegal Studies.

Robert I. Francis, Forensic Accountant

During the past four years at the firm, Robert I. Francis has worked on many cases that have resulted in significant client recoveries, including suits against McKesson, Reliant Energy, Skillsoft plc, Bristol-Myers, and El Paso.

Prior to joining the firm, Mr. Francis worked as a senior audit manager specializing in financial services at KPMG Peat Marwick and PricewaterhouseCoopers LLP, and served as vice president for Global Accounting Policy/External Reporting for State Street Corporation. Mr. Francis also has experience as an independent consultant, providing accounting support services related to compliance requirements of the Sarbanes-Oxley Act of 2002.

Mr. Francis graduated from Bentley College with a BS in Accountancy and received an MBA from Northeastern University. Mr. Francis is a Certified Public Accountant. He is a member of the American Institute of Certified Public Accountants, the Massachusetts Society of CPAs, and a former member of the East Coast Committee of the National Investment Company Service Association (NICSA).

Van C. Khang, Forensic Accountant

During the past three years at the firm, Van C. Khang has worked on many cases that have resulted in significant client recoveries including, suits against Symbol Technologies, ICG Communications, and Lernout & Hauspie Speech Products.

Prior to her tenure at Berman DeValerio, Ms. Khang worked as a manager in the Global Investigations and Dispute Advisory Services Group for the accounting firm of Ernst & Young and, previously, as a senior consultant and staff auditor.

Ms. Khang graduated from the University of Massachusetts in 1998 with a B.S in Accounting and Finance. In 1993, she earned a B.S. in Molecular Biology from the University of Connecticut. Ms. Khang is a Certified Public Accountant in Massachusetts.

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